

**STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY:217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

**AGENDA
STATE BOARD OF ELECTIONS
BOARD MEETING
Tuesday, October 18, 2011
9:00 a.m.**

James R. Thompson Center – Room 9-040
Chicago, Illinois
and via videoconference
1020 South Spring Street
Springfield, Illinois

Roll call.

1. Approval of the minutes from the September 19 meeting. (pgs.1-7)
2. Report of the General Counsel
 - a. Campaign Disclosure;
Motion for reconsideration
 - 1) *SBE v. The Friends of Andre J. Smith, Sr.*, 11MA030; (pgs.8-11)
 - 2) *SBE v. Indian Trails Public Library District*, 11MA040; (pgs.12-17)
 - 3) *SBE v. Citizens for Robin Lisboa*, 11MA042; (pgs.18-21)Appeal of campaign disclosure fines – carryover from August – hearing officer recommendation appeal be denied
 - 4) *SBE v. Naperville Township Republican Org.*, 4987, 11AM073; (pgs.22-25)
 - 5) *SBE v. ActBlue Illinois*, 19891, 11AM045; (pgs.26-31)Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted
 - 6) *SBE v. Friends of Berrios*, 4758, 11DS335; (pgs.32-35)
 - 7) *SBE v. PAC of the Structural Engineers Assn. of IL (SEA PAC)*, 4943, 11JQ021; (pgs.36-38)
 - 8) *SBE v. Citizens for Suarez*, 6555, 11DS336; (pgs.39-42)
 - 9) *SBE v. Friends of Deborah Seyller*, 11740, 11JQ055; (pgs.43-46)
 - 10) *SBE v. Friends of Michael Howley*, 14040, 11JQ065; (pgs.47-55)
 - 11) *SBE v. Brandon Phelps for State Representative*, 16309, 11AJ007; (pgs.56-61)
 - 12) *SBE v. Friends of George A. Cardenas*, 17290, 11AM090; (pgs.62-71)
 - 13) *SBE v. St. Charles Education Assn. – IPACE*, 17812, 11AM092; (pgs.72-80)
 - 14) *SBE v. Supporters of Jack D. Franks*, 19464, 11MA041; (pgs.81-88)
 - 15) *SBE v. Citizens for Potkonjak for Circuit Judge*, 19534, 11JQ237; (pgs.89-91)
 - 16) *SBE v. Welcome Wal-Mart*, 22729, 11MA050; (pgs.92-96)
 - 17) *SBE v. PAC 34, of the IBEW Local 34*, 22824, 11AJ070; (pgs.97-99)

- 18) *SBE v. Fiscal Responsibility for New Trier PAC*, 23196, 11AJ073; (pgs.100-105)
- 19) *SBE v. Friends of Jay Farquhar*, 23421, 11JQ273; (pgs.106-112)
- 20) *SBE v. Friends of Ramona Thomas*, 23610, 11MQ099; (pgs.113-115)
- 21) *SBE v. Citizens to Elect Judge Lorna Propes*, 23627, 11AJ080; (pgs.116-119)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be denied

- 22) *SBE v. Friends of John Phelan*, 23434, 11JQ274; (pgs.120-122)
- 23) *SBE v. Citizens for Joseph E. Watrach*, 21778, 11JQ253; (pgs.123-125)
- 24) *SBE v. Citizens to Elect Robert Eastern III*, 20519, 11JQ243; (pgs.126-128)
- 25) *SBE v. Citizens for Andy Lam*, 22872, 11MQ079; (pgs.129-131)
- 26) *SBE v. Friends of Mayor Kerry Durkin*, 22849, 11AJ071; (pgs.132-135)
- 27) *SBE v. Friends of Jim Moody*, 22175, 11AJ066; (pgs.136-138)
- 28) *SBE v. Citizens to Re-Elect Kathy Svoboda*, 21438, 11JQ247; (pgs.139-141)
- 29) *SBE v. Patricia Horton for City Clerk*, 23214, 11AM137; (pgs.142-146)
- 30) *SBE v. Citizens for Officer*, 17239, 11JQ224; (pgs.147-149)
- 31) *SBE v. Mary Beth Welch Collins Campaign Fund*, 20735, 11MA063; (pgs.150-155)
- 32) *SBE v. Friends of Carol Johnson*, 23347, 11DS361; (pgs.156-158)
- 33) *SBE v. Committee to Elect Brad Shields*, 20408, 11JQ242; (pgs.159-161)
- 34) *SBE v. Citizens to Elect Richard Wooten*, 23114, 11MA078; (pgs.162-165)
- 35) *SBE v. Citizens for Dennis M. Fleming*, 18007, 11JQ227; (pgs.166-169)
- 36) *SBE v. Egan Forward 43*, 22805, 11AM123; (pgs.170-173)
- 37) *SBE v. Citizens for Jim Langfelder*, 12048, 11AJ038; (pgs.174-177)
- 38) *SBE v. Friends of Artis Yancey*, 23706, 11JQ201; (pgs.178-180)
- 39) *SBE v. Citizens for Scordato*, 21595, 11DS299; (pgs.181-185)
- 40) *SBE v. Jessica O'Brien for Judge Committee*, 22487, 11JQ146; (pgs.186-189)
- 41) *SBE v. Illinois Interior Design Coalition*, 4250, 11AM163; (pgs.190-192)
- 42) *SBE v. Orland Professional Firefighters IAFF Local 2754*, 22745, 11MA023; (pgs.193-195)
- 43) *SBE v. Friends of John Pope*, 14501, 11AM026; (pgs.196-200)
- 44) *SBE v. Citizens for Jeffrey L. Junkas*, 22127, 10AG081; (pgs.201-205)
- 45) *SBE v. Citizens for Snyder*, 21489, 11JQ136; (pgs.206-209)
- 46) *SBE v. Basic Crafts Council of Mid-Central Illinois*, 18976, 11AJ056; (pgs.210-212)
- 47) *SBE v. Coles County Democrat Boosters*, 5233, 11JQ024; (pgs.213-215)
- 48) *SBE v. Independent Accountants PAC*, 1032, 11JQ014; (pgs.216-218)
- 49) *SBE v. Citizens for Steve Kim*, 13184, 11AG089; (pgs.219-221)
- 50) *SBE v. Joe Messer for Barrington Hills Village Trustee*, 23598, 11MA039; (pgs.222-241)
- 51) *SBE v. Karen Selman for Barrington Hills Village Trustee*, 23547, 11MA037; (pgs.242-259)
- 52) *SBE v. Patty Meroni for Barrington Hills Village Trustee*, 23548, 11MA038; (pgs.260-277)
- 53) *SBE v. United Party of Elmwood Park*, 23129, 11AJ013; (pgs.278-284)

Appeals of campaign disclosure fines – new appeals – hearing officer recommendation appeals be granted & denied

- 54) *SBE v. Mason County Democratic Central Committee*, 309, 11MA060; (pgs.285-288)
- 55) *SBE v. Personal PAC Inc.*, 497, 10AG063; (pgs.289-292)
- 56) *SBE v. Boone County Republican Club*, 5001, 11MA049; (pgs.293-298)
- 57) *SBE v. Naperville Unit PAC for Education District 203 (NUPACE 203)*, 9774, 11AM078; (pgs.299-308)
- 58) *SBE v. Neighbors for Harry Osterman*, 22976, 11MA025; (pgs.309-331)

- 59) *SBE v. Save5Acres for Barrington Hills Trustees*, 23119, 11MA036; (pgs.332-339)

Other campaign disclosure items

- 60) Assessments/Final Orders; (pgs.340-348)
61) Potential ballot forfeiture for 2010 – informational; (sent under separate cover)
62) Payment of civil penalties – informational; (pgs.349-350)

Complaints following closed preliminary hearing – proceed to public hearing (separate packet)

- 63) *SBE v. 42nd Ward Republican Party*, 11CD036; (pgs.1-4)
64) *SBE v. Citizens to Elect Eric J. Kellogg*, 11CD089; (pgs.5-7)
65) *SBE v. Citizens to Elect Bridget Healy Ryan*, 11CD120; (pgs.8-10)
66) *SBE v. First Ward Organization*, 11CD132; (pgs.11-14)
67) *SBE v. 1st Ward Young Democrats*, 11CD133; (pgs.15-17)
68) *SBE v. Friends for Michelle Chavez*, 11CD136; (pgs.18-20)
69) *SBE v. Taxpayers United for Fairness*, 11CD150; (pgs.21-23)
70) *SBE v. Citizens to Elect Glenn Tienstra*, 11CD151; (pgs.24-26)
71) *SBE v. Friends of Frank Calabrese*, 11CD160; (pgs.27-30)
72) *SBE v. Wakefield for Waukegan*, 11CD161; (pgs.31-34)
73) *SBE v. Friends of Tony Michelassi*, 11CD163; (pgs.35-37)
74) *SBE v. Working People's Campaign Comm. for Elections of Honest Governors*, 11CD168; (pgs.38-40)
75) *SBE v. The Friends to Elect Trenton D. Fedrick*, 11CD170; (pgs.41-43)
76) *SBE v. Friends of Maureen Kelly*, 11CD174; (pgs.44-47)
77) *SBE v. Frederick James for Mayor*, 11CD180; (pgs.48-50)
78) *SBE v. Tea Party of Illinois*, 11CD182; (pgs.51-54)
79) *SBE v. St. Clair Constitution Party*, 11CD184; (pgs.55-58)
80) *SBE v. All Citizens for Matthew Johnson*, 11CD185; (pgs.59-61)
81) *SBE v. Citizens to Elect Chauncey L. Stroud*, 11CD190; (pgs.62-65)
82) *SBE v. Education First Party*, 11CD208; (pgs.66-68)
83) *SBE v. Citizens for Mitchell L. Johnson*, 11CD209; (pgs.69-71)

Complaints following closed preliminary hearing – no public hearing

- 84) *SBE v. Indian Trails Public Library District, Friends of Indian Library District & Citizens for Indian Trails Library to Support the April 5th Referendum*, 11CD023; (pgs.72-82)
85) *SBE v. Thomas for Illinois*, 11CD079; (pgs.83-85)
86) *SBE v. Mark J. Gernigin Campaign*, 11CD134; (pgs.86-89)
87) *SBE v. Citizens to Re-Elect John Pope*, 11CD141; (pgs.90-93)
88) *SBE v. Friends of Marion*, 11CD143; (pgs.94-97)
89) *SBE v. Friends of Mickie Polk*, 11CD145; (pgs.98-101)
90) *SBE v. Committee to Elect James Larry Karraker*, 11CD154; (pgs.102-105)
91) *SBE v. WATCH Clinton Landfill*, 11CD159; (pgs.106-109)
92) *SBE v. Friends of Leo C. Watkins*, 11CD171; (pgs.110-111)
93) *SBE v. Citizens for Adelizzi*, 11CD175; (pgs.112-114)
94) *SBE v. Committee to Elect Dawn Aubert*, 11CD202. (pgs.115-117)

3. Report of the Executive Director

- a. Preparations for the March 20, 2012 General Primary Election;
1) Petition purchasing procedures; (pg.351)
2) Green Party status; (pgs.352-357)
3) Election judge training schools – informational; (pg.358)
b. Campaign disclosure audits; (pgs.359-363)
c. Consideration of modification of Dominion's Edge II Plus voting system; (pg.364)
d. Legislative update; (oral report)
e. Campaign Finance Reform Task Force meeting; (pg.365)
f. IVRS update – informational; (pgs.366-370)

- g. Census data versus registered voters; (pg.371)
 - h. Election Management System update; (pgs.372-373)
 - i. Electronic canvass update; (pg.374)
 - j. Springfield office facility update; (pg.375)
 - k. Fiscal status reports – informational;
 - 1) FY12 – month ending September 30; (pgs.376-383)
 - 2) Help Illinois Vote Fund; (pgs.384-389)
 - l. Two year plan of staff activity for the months of October & November – informational. (pgs.390-391)
- 4. Follow up. (pg.392)
 - 5. Comments from the general public. (pg.392)
 - 6. Next Board meeting, Monday, November 21, 2011 at State Employees' Retirement System in Springfield. (pg.392)
 - 7. Executive session. (pgs.393-399)

STATE BOARD OF ELECTIONS
Regular Board Meeting
Monday, September 19, 2011

MINUTES

PRESENT:

William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers, Member
Betty J. Coffrin, Member
Ernest L. Gowen, Member
Judith C. Rice, Member
Bryan A. Schneider, Member
Charles W. Scholz, Member

ALSO PRESENT:

Rupert Borgsmiller, Executive Director
Jim Tenuto, Assistant Executive Director
Steve Sandvoss, General Counsel
Amy Calvin, Administrative Assistant II

The meeting convened at 10:40 a.m. via videoconference means with the Chicago office. Chairman McGuffage, Vice Chairman Smart and Members Byers, Coffrin, Gowen and Scholz were present in Springfield. Member Rice was present via teleconference until her departure at 11:20 a.m. and Chairman McGuffage held her proxy. Vice Chairman Smart held Member Schneider's proxy until his arrival at 11:50 a.m. via teleconference.

The Chairman opened the meeting by leading everyone in the Pledge of Allegiance to the flag.

Chairman McGuffage presented a resolution to Jim Withers, who is retiring from the State Board of Elections on September 30, 2011. The Chairman commented that Mr. Withers has worked for the Board for twenty-three years and thanked him for his outstanding dedication and service. Mr. Withers thanked the Board, and previous Board Members, for giving him the opportunity and that he greatly appreciated it. He also thanked his staff for all of their hard work and acknowledged the friendships that have developed over the years within the Agency. Mr. Borgsmiller thanked him for his service throughout the years and commended him for his work in his role in the Springfield office relocation matters.

The minutes from the August 16 meeting were presented. Member Scholz moved to approve the minutes as presented. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *SBE v. Kane County Republican Advisory Council*, 11MA015, which was a motion for reconsideration of a final order. No one was present on behalf of the committee. The General Counsel recommended the motion be granted and the Board vacate its final order assessing the civil penalty and remand the matter to the hearing officer. Vice Chairman Smart moved to accept the recommendation of the General Counsel. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented *Zurek v. Pedersen*, 11CD025, which was a motion for reconsideration of a final order. Ken Zurek was present in the Chicago office and no one was present on behalf of the respondent. The General Counsel recommended the motion be denied and no further action be taken in the matter. Mr. Zurek reviewed the allegations contained in his motion and felt the Board erred in its decision. The General Counsel noted that Mr. Zurek was re-arguing his case and did not present anything new to consider. Member Gowen moved to accept the recommendation of the General Counsel. Member Scholz seconded the motion which passed by roll call vote of 8-0.

SBE Minutes
September 19, 2011- Page 2

The General Counsel presented *SBE v. IL Coin Machine Operators Assoc. PAC*, 712, 11AM012, which was a carryover appeal of campaign disclosure fines from the August meeting. The hearing officer recommended the appeal be denied for lack of an adequate defense. However, the General Counsel recommended the appeal be granted because the committee raised a defense based primarily on computer issues which is typically accepted by the Board. Attorney Kevin McFadden was present in Springfield on behalf of the committee and did not offer any comment. Vice Chairman Smart moved to accept the recommendation of the General Counsel and grant the appeal. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The Chairman presented the following appeals of campaign disclosure fines that the hearing officer recommended be granted. Agenda items 3.a.3-9: 3) *SBE v. McLean County Republican Central Committee*, 276, 11AM004; 4) *SBE v. Associated General Contractors of IL PAC*, 649, 10AG065; 5) *SBE v. Brady for Senate Inc.*, 7537, 10AG072; 6) *SBE v. Friends of Susana Mendoza*, 18308, 11AM037; 7) *SBE v. Friends of Wayne Rosenthal*, 21785, 11MA021; 8) *SBE v. Committee to Elect Chuks Orjiezia*, 22702, 11AM049; and 9) *SBE v. Friends of John Phelan*, 23434, 11AM152. The General Counsel concurred with the recommendations of the hearing officer. Attorney John Fogarty was present on behalf of the committee in Agenda item 3.a.7 and also agreed with the recommendation. Member Byers moved to accept the recommendation of the hearing officer and General Counsel and grant the appeals. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.10, *SBE v. Sangamon County Republican Central Committee*, 1132, 11MA013 and summarized the appeal. The hearing officer recommended the appeal be denied and the General Counsel concurred. Attorney Justin Reichert and Tony Libri were present on behalf of the committee. Mr. Reichert stated that the committee was unaware of the new reporting laws that went into effect January 1, 2011 and filed the Schedule A-1 immediately after it learned of the new requirements. He then made an offer to reduce the fine to \$1,000. After discussion, Vice Chairman Smart moved to deny the appeal and reduce the penalty to \$1,000 to be paid within thirty days. Member Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.11, *SBE v. Democratic Party of Illinois*, 6239, 10AG070 and concurred with the hearing officer recommendation that the appeal be denied. Attorney Mike Kasper was present on behalf of the committee and said the penalty should be stayed as a first violation as both checks were deposited at the same time. The General Counsel stated that the statute treats each contribution as a separate violation and as such, the penalty for the two contribution violations could not be stayed. Discussion ensued regarding the language in the statutes. Vice Chairman Smart moved to deny the appeal, reduce the penalty to \$1,000 and stay the amount. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.12, *SBE v. Vote for Sam Cahnman*, 15077, 11MA029 and concurred with the hearing officer recommendation that the appeal be denied. Sam Cahnman was present on behalf of the committee and said that the three missed A-1 filings were inadvertent and asked the Board to stay or reduce the penalty assessed for the third missed filing to 10%, consistent with the assessment for the first two delinquently reported contributions. Vice Chairman Smart moved to deny the appeal and reduce the penalty to \$250. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.13, *SBE v. Citizens to Elect Lewis W. Powell III*, 16532, 11DS328 and concurred with the hearing officer recommendation that the appeal be denied. Lewis Powell, III was present on behalf of the committee and said the committee has reconciled the records and will be dissolving soon and asked the Board to abate the fine. Member Byers moved to deny the appeal and abate the fine then withdrew his motion. Mr. Powell then offered a settlement of \$500. Member Byers moved to deny the appeal and accept the settlement offer of \$500 to be paid within thirty days. Vice Chairman Smart

SBE Minutes
September 19, 2011- Page 3

seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.14, *SBE v. Citizens for Segvich*, 17403, 11AM091 and concurred with the hearing officer recommendation that the appeal be denied. Carl Segvich was present on behalf of the committee and indicated the failure to file the A-1 was unintentional and that the committee did not have sufficient funds to pay the fine. Mr. Segvich then offered a settlement of either \$50 or \$100. Member Byers moved to deny the appeal and reduce the penalty to \$100. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.15, *SBE v. Committee to Re-Elect Larry R. Rogers Jr.*, 18001, 11AM093 and concurred with the hearing officer recommendation that the appeal be denied. Chairman McGuffage recused himself from the matter. No one was present on behalf of the committee. Member Byers moved to accept the recommendation of the hearing officer and General Counsel and deny the appeal. Member Coffrin seconded the motion which passed by roll call vote of 7-0 with Chairman McGuffage passing his vote.

The General Counsel presented Agenda item 3.a.16, *SBE v. 613PAC*, 19647, 10AG076 and concurred with the hearing officer recommendation that the appeal be denied. No one was present on behalf of the committee. Vice Chairman Smart moved to accept the recommendation of the hearing officer and General Counsel and deny the appeal. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.17, *SBE v. Friends of John Bracamontes*, 22106, 10GE033 and concurred with the hearing officer recommendation that the appeal be denied. No one was present on behalf of the committee. Vice Chairman Smart moved to accept the recommendation of the hearing officer and General Counsel and deny the appeal. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.18, *SBE v. Chang for Change Committee*, 22418, 10AG086 and concurred with the hearing officer recommendation that the appeal be denied. No one was present on behalf of the committee. Member Coffrin moved to accept the recommendation of the hearing officer and General Counsel and deny the appeal. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.19, *SBE v. Vanguard Health Management IL PAC*, 22673, 11AM120 and concurred with the hearing officer recommendation that the appeal be denied. Attorney Esther Seitz was present on behalf of the committee and said the late A-1 filing was inadvertent and the committee was operating under the old laws that were in effect prior to January 1, 2011. She asked the Board to dismiss the violation in its entirety because a second appeal was in the pipeline for a future meeting. The Board informed Ms. Seitz they could not consider something that was not before them at this time. Member Byers moved to accept the recommendation of the hearing officer and General Counsel and deny the appeal. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.20, *SBE v. RPAC*, 1126, 10AG068 and concurred with the hearing officer recommendation that the appeal granted in part and denied in part. Attorney Steve Bochenek was present on behalf of the committee and also agreed with the recommendation. Member Scholz moved to accept the recommendation of the hearing officer and General Counsel to deny the appeal. Member Gowen seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.21, *SBE v. Friends of "AJ" Wilhelmi*, 18614, 11MA016 and concurred with the hearing officer recommendation that the appeal granted in part and denied in part. Attorney Mike Kasper was present on behalf of the committee and also agreed with the

recommendation but asked for a settlement in the amount of \$1,000. The General Counsel did not object to the settlement offer. Vice Chairman Smart moved to accept the recommendation of the hearing officer and General Counsel and accept the reduced penalty of \$1,000. Member Byers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.22, *SBE v. Friends of William J. Kelly*, 22238, 10AP066 & 10JS229 and concurred with the hearing officer recommendation that the appeal granted in part and denied in part. Attorney Andrew Finko was present on behalf of the committee and asked that the fine be recalculated in the amount of \$1,251 taking into account the small excess over the \$3,000 threshold in its ending balance, and offered \$500 to settle the outstanding fine. The General Counsel did not object to the settlement offer. Member Byers moved to accept the recommendation of the hearing officer and General Counsel and accept the reduced penalty of \$500. Vice Chairman Smart amended the motion to accept the revised offer of \$600 and it was agreed by Member Byers. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

A request for a payment plan was submitted by the *Friends of Maria Wilson* committee. No one was present and the General Counsel agreed with the plan outlined in Miss Wilson's letter on page 155 of the Board packet. Vice Chairman Smart moved to accept the payment plan as presented. Member Byers seconded the motion which passed unanimously.

The General Counsel presented a listing of assessments necessitating a final Board order for the committees included on pages 156-158 of the Board packet. Andre Smith was present on behalf of the *Friends of Andre Smith, Jr.* committee and asked to suggest a settlement offer. The Board explained that the penalty would first have to be assessed through a final Board and that Mr. Smith could then file a motion to reconsider after that time. Member Schneider moved to issue final Board orders for those committees. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

A listing of payment of civil penalties was presented for informational purposes.

The General Counsel presented Agenda item 3.a.26, *Holzer v. Friends for Dobrzycki*, 11CD210, a complaint following closed preliminary hearing. Michael Holzer and Mark Dobrzycki were both present and agreed to address the matter in open session. The General Counsel concurred with the recommendation of the hearing officer for the respondent to file additional amended reports to address the beginning balance and ending balance discrepancies and to report all contributions that may have been received including contributions made by the respondent to his own committee, and to do this within 30 days of the board order. The hearing officer further noted that failure to comply with the Order would not only subject the committee to a possible sanction but would also result in the committee being ordered to conduct an audit of its financial records. Mr. Holzer indicated he accepted most of the responses from the respondent but did not agree that the committee did not receive the contributions in question. Mr. Dobrzycki agreed with the recommendation of the hearing officer. Vice Chairman Smart moved to accept the recommendation of the General Counsel and hearing officer. Member Scholz seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented Agenda item 3.a.27, *Sorock v. Citizens for Wilmette Schools and Thomason*, 11CD026, a motion for reconsideration of a final order. The complainant, Herbert Sorock, was present and attorney Mike Kasper was present on behalf of the respondent. Both parties agreed to address the matter in open session. The General Counsel recommended the motion be denied as the complainant is re-stating arguments that the Board previously denied and does not raise any additional points to consider. Mr. Sorock highlighted some points in his motion and reiterated that the \$3,000 plus contribution for the electioneering website should be reported as an in-kind contribution. He also felt the website design should fall under the 'anything of value' section of the statute and should have been reported based on that language as well. Mr. Kasper indicated that the motion was only a restatement of arguments previously rejected by the Board and that the motion for reconsideration should be denied. Discussion ensued regarding the statutory

language defining 'anything of value' and what types of services fall underneath that section. Vice Chairman Smart moved to deny the motion to reconsider. Member Scholz seconded the motion which passed by roll call vote of 7-1 with Member Gowen voting in the negative.

After a five minute recess the Board moved to the report of the Executive Director. Mr. Borgsmiller began with a report on the Advisory Committee Meeting which was held at 9:00 a.m. just prior to the Board meeting. This was the first meeting of the new Committee and Member Coffrin sat as the representative of the Board. Some items discussed included zone meeting updates, legislation, retabulation of early voting devices and suggestions for reminding the jurisdictions of the provisions of the federal consent decree regarding the timely sending of absentee ballots to UOCAVA voters.

Mr. Borgsmiller next reported on the electronic canvass and noted that good progress has been made and that Brent Davis has a good handle on the project. Mr. Davis said that he is working with the vendors to obtain specific data elements in order to implement the various reporting requirements of the system. He noted that there are technological issues, but that this was expected at the forefront of the project and that the jurisdictions were being very cooperative as well.

Mr. Borgsmiller asked Ken Menzel to address the declaration of judicial vacancies. Mr. Menzel reviewed his memo that was included in the Board packet and said that most judicial vacancies are declared by the Supreme Court. He explained that the Board certifies the newly created positions that arise from legislation and at this time there are four positions for the Board to declare. They are as follows: in the 16th Judicial Circuit, 2nd Subcircuit, Additional Judgeship A; in the 19th Judicial Circuit, 2nd Subcircuit, Additional Judgeship A, also in the 19th Judicial Circuit, 3rd Subcircuit, Additional Judgeship B; and in the 23rd Judicial Circuit, Resident Kendall County, Additional Judgeship A. Member Scholz moved to certify the additional judgeships. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0. The Chairman then thanked Mr. Menzel for his hard work on the matter.

Dianne Felts presented for consideration engineering change orders for ES&S voting equipment and said these were very minor changes that have been reviewed and approved by the testing laboratory who found did not warrant a test. Ms. Felts explained that it has been past Board practice that if the laboratory does not require a test, then the SBE does not required testing. The changes include use of a better glue, a restriction of hazardous substance and a couple of manufacturer changes. Member Coffrin moved to approve the engineering change orders for ES&S voting equipment. Vice Chairman Smart seconded the motion which passed by roll call vote of 8-0.

Cris Cray began her legislative report and informed the Board that the last three pieces of election legislation listed in her memo from the Board packet were signed by the Governor and also thanked Mr. Menzel for his assistance with Senate Bill 63. Ms. Cray noted that the numbers for the supplemental appropriation were sent to the Governor's office on September 6th and she thanked Mike Roate and Kyle Thomas for their assistance in compiling the numbers on such short notice. Mr. Borgsmiller pointed out that the most important priority on the supplement is the election judge reimbursement and the next priority being the IVRS reimbursement to assist the local jurisdictions in remaining HAVA compliant.

Ms. Cray stated that the Campaign Finance Reform Task Force Committee met on September 15th and Mike Kasper volunteered to draft the legislation which will be voted on at the next meeting scheduled for October 13th. The public financing report is due by December 31st and the Committee is looking at an outline of proposed legislation that they would like to name "The Lincoln Act for Public Financing in Illinois" which would determine who will qualify under the Act and where the funding would come from. Ms. Cray said she would discuss the threshold limits with the Committee at a future meeting to get an idea of their thoughts on the issue.

Mr. Borgsmiller gave an update on the metes and bounds project and said Bob Lindquist from GIS Solutions has been employed and they have overlayed the metes and bounds onto an interactive map. Eric Donnewald noted that 76 metes and bounds descriptions for the House of Representatives have been completed to date and anticipates the completion of the remaining descriptions by the end of September. Mr. Borgsmiller hopes to release the interactive maps by the end of this week and that the Information Technology staff was present to conduct a demonstration of the program. Kevin Turner explained that this program will replace the district locator program currently on the SBE website and upon entering the new program a disclaimer pops up indicating that the representatives will not be known until they are sworn in after the 2012 General Election. Jason Kilhoffer then gave brief demonstration of the capabilities of the interactive maps program. Mr. Turner said that the local election authorities will have the option to put a link to the program on their own websites so the public could access it through those means. Mr. Borgsmiller indicated that a Press Release will be sent out when the program is ready to be released to the public and that it would also be sent to the Board Members and local election authorities.

Kyle Thomas presented the IVRS update for informational purposes and noted that last month staff resurrected some of the duplicate matches and reviewed each one to determine if they were truly duplicates so the jurisdictions could take the proper action. Mr. Thomas said that East St. Louis was making progress and their duplicate numbers have decreased. The census data versus registered voters report was discussed and Mr. Thomas indicated that the jurisdictions are working hard on their purges and each month at least one jurisdiction has dropped below one hundred percent.

Mr. Borgsmiller discussed the HAVA site visits and explained that as a result of a single audit finding in 2006, Becky Glazier and Amy Calvin began conducting site visits around the state to locate voting equipment and other equipment items purchased with HAVA funds to verify that the jurisdictions actually have the items they say they purchased. The counties are randomly chosen by zones and to date approximately twenty-one visits have been conducted and several more are already planned throughout the end of the year. Ms. Glazier noted that most of the jurisdictions generally have their equipment in order and if not they are instructed to correct their inventory sheets. If they are missing a piece of equipment that was supposedly purchased then they might have to return the funding with interest or if there were other items previously purchased from their grants that was in excess of their allocation those could be adjusted as well. Mr. Borgsmiller said that staff does a very thorough job managing the grants and only approving items that qualify under the statute.

Jim Withers gave an update on the Springfield office facility and indicated that Central Management Services was in the process of drafting the lease and the cabling issues have been resolved as well. The expected move-in date is scheduled for the weekend of January 28, 2012 but is subject to change.

Mr. Borgsmiller presented the fiscal status reports for informational purposes. The final FY11 report will be submitted at the end of the calendar year once the Comptroller's office finalizes all of the payments. Spending for FY12 is right on target as anticipated in the spending plan.

The two year plan of activity for the months of September and October was presented for informational purposes.

Next on the Agenda was a follow up item on the Statewide Election Management System update. Mr. Thomas indicated there are many volunteers from each zone around the state and the first meeting is scheduled for September 27th.

Mr. Borgsmiller informed the Board that the next meeting scheduled for October 18th in Chicago would only have videoconference capability from 9:00 a.m. until 2:00 p.m. and recommended the meeting begin at 9:30 a.m. instead of 10:30 a.m. The Board agreed to change the meeting time to 9:00 a.m. Mr. Borgsmiller also noted that the November 21st meeting will be held at the State Employees' Retirement System due to

SBE Minutes
September 19, 2011- Page 7

petition filing activities in the Board's Springfield office. There will not be a videoconference hookup for this meeting due to lack of equipment availability.

Vice Chairman Smart moved to recess to executive session to discuss litigation and personnel matters. Member Gowen seconded the motion which passed unanimously. The meeting recessed at 2:05 p.m. and reconvened at 3:25 p.m.

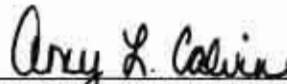
Upon reconvening a roll call was taken with all Members present as noted in the initial roll call except Members Rice and Schneider were absent and Chairman McGuffage and Vice Chairman Smart held their proxies respectively.

Member Scholz moved to authorize legal counsel to request a stay of proceedings with the ILRB and the Illinois Appellate Court, and also to file an appeal. Member Byers seconded the motion which passed by roll call vote of 8-0.


Vice Chairman Smart moved that the Board, after successfully interviewing the three candidates for Jim Withers' position, authorize the Executive Director to offer the position to Mike Roate at a salary for them to work out. Member Scholz seconded the motion which passed by roll call vote of 8-0.

With there being no further business before the Board Vice Chairman Smart moved to adjourn until October 18, 2011 at 9:00 a.m. or call of the Chairman, whichever occurs first. Member Byers seconded the motion which passed unanimously. The meeting adjourned at 3:30 p.m.

Respectfully submitted,



Amy Calvin, Administrative Assistant II



Rupert T. Borgsmiller, Executive Director

22230

CHICAGO

11 SEP 26 PM 4:05

STATE BOARD OF ELECTIONS

September 26, 2011

To: Illinois State Board of Elections
General Counsel

To whom It may concern:

Case No. 11MA030

I am writing this letter as a motion to reconsider the final order that was issued by the Illinois State Board of Elections with regard to the political committee known as The Friends of Andre J Smith Sr. case which was heard before the ISBOE on September 19, 2011. To my understanding a civil fine was issued against the committee in the amount of \$10,000 for failure to file the necessary reports as required by Illinois State Law. In asking for this motion to reconsider, it is important that I share with the members of this body what lead to the failure to comply. As a first time candidate with no experience attempting to use new software, new filing periods and unforeseen personal family hardships that I am still traumatized by today. Specifically during the filing period that I should have filed within the following happened to me.

1. I was informed that my father who resided in the state of Ohio, had cancer and was terminally ill in January of 2010 and as a result of receiving the information I had to make a decision to unofficially withdraw from the 2011 Aldermanic race as the candidate for the 20th ward. I then had to travel to Ohio, immediately to attend to my father's deteriorating health condition regarding care and to handle all is personal business matters. Upon arriving in Ohio, and meeting the physicians who stated that they could do nothing else for my father, I was hospitalized immediately after receiving the information. I was release from the hospital several days later after being diagnosed with sever depression. I stayed in Ohio, for approximately two months working with social workers to assist me with relocating my father back to Chicago. We arrived back in Chicago, March of 2010 and I began the process of caring for my father around the clock which included feeding, medication, bathing, shopping, clothing, and taking him to dialysis daily in addition to other doctor's appointments at the Jessie Brown Veterans Hospital. Additionally, my father was hospitalized on three separate occasions from April 2010 until his untimely death which occurred on July 2, 2010. The very next day July 3, 2010 my grandmother died and I was hospitalized the same week for high blood pressure and chest pains. I remained in a state of depression and not being able to function clearly daily as I was burdened with attempting to plan funeral services for two loved ones at the same time, which left me very emotionally overwhelmed. At the request of my father prior to his death and supporters urging me to continue to run for alderman I decided to finish out what I had started although it was not a sound decision based on my mental state at the time.

2. After returning to the campaign me and my family later experienced another traumatic blow on January 1, 2011 which resulted in what appeared to be an attack to scare me into withdrawing from the race. The official news article below will provide some details of the incident that occurred. (See Internet).

Windows Broken In Home Of South Side Aldermanic Candidate



Photo by: doyland

Police are still investigating allegations that someone threw fireworks into the home of Rev. Andre Smith, 42, an aldermanic candidate in the 20th Ward on the South Side. Rev. Smith told police that six of the windows at his home in the 6000 block of South Indiana Avenue were shattered last night. "Somebody threw a bomb through my windows and tried to kill me and my kids," said Smith to the Chicago Tribune.

Smith told the Tribune that his wife and children were in the first floor apartment and he was on the second floor of the building when the devices exploded. He also said that police and bomb and arson investigators had returned to his building this morning after they found another device near his wife's vehicle outside the building.

Chicago police News Affair Officer Daniel O'Brien told the Tribune that police were called to Smith's home at 12:20 a.m. this morning. They issued a criminal damage to property report after Smith found that six of his windows in the front of his home were broken. In the February elections, Smith will face Ald. Willie Cochran, who is running for re-election of the 20th Ward, which includes Woodlawn, Washington Park, Englewood, and Back of the Yards.

In filing this motion to reconsider it is my hope that the Illinois State Board of Elections will review all the merits and chain of events that transpired before during and after the filing period. More supporting documents will be provided to assist the Board in reconsidering your recent decision. It is my prayer to seek relief and through the Illinois State Board of Election being willing to agree to a settlement of 10% of the total amount of the fine imposed as I seek to have part of the penalties waived which would be more favorable and not placing anymore hardship on me as in my recent past.

Sincerely,



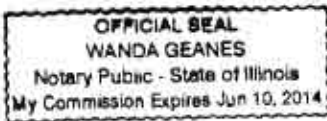
Andre J. Smith Sr.

The Friends of Andre J. Smith Sr.

Subscribed and sworn to before me

this 26 day of 09, 2011
at Chicago, County of Cook, State of Illinois.

Notary Public Wanda Geanes



CERTIFICATION OF DEATH RECORD

CHICAGO, ILLINOIS MEDICAL CERTIFICATE OF DEATH

STATE FILE NUMBER 2010 0049913

DATE ISSUED 07/13/2010

DECEDENT'S LEGAL NAME FRED SMITH JR				SEX MALE	DATE OF DEATH JULY 02, 2010
COUNTY OF DEATH COOK	AGE AT LAST BIRTHDAY 76 YEARS		DATE OF BIRTH MAY 29, 1934		
CITY OR TOWN DOLTON	HOSPITAL OR OTHER INSTITUTION NAME 14819 SOUTH EDBROOKE AVE				
PLACE OF DEATH DECEDENT'S HOME					
BIRTHPLACE PINE BLUFF, AR	SOCIAL SECURITY NUMBER 431-52-7262	MARITAL STATUS AT TIME OF DEATH DIVORCED	SURVIVING SPOUSE'S NAME		EVER IN U.S. ARMED FORCES? YES
RESIDENCE 14819 SOUTH EDBROOKE AVE		APT. NO.	CITY OR TOWN DOLTON		INSIDE CITY LIMITS? YES
COUNTY COOK	STATE IL	ZIP CODE 60419	FATHER'S NAME FRED SMITH SR		MOTHER'S NAME PRIOR TO FIRST MARRIAGE PARA LEE SPRINGER
INFORMANT'S NAME ANDRE SMITH		RELATIONSHIP SON	MAILING ADDRESS 14819 SOUTH EDBROOKE AVE, DOLTON, IL, 60419		
METHOD OF DISPOSITION BURIAL		PLACE OF DISPOSITION ABRAHAM LINCOLN NATIONAL CEMETERY	LOCATION - CITY OR TOWN AND STATE ELWOOD, IL	DATE OF DISPOSITION JULY 12, 2010	
FUNERAL HOME CALAHAN FUNERAL HOME INC, 7030 SOUTH HALSTED STREET, CHICAGO, IL, 60621					
FUNERAL DIRECTOR'S NAME LOLITA PATRICE SCHAFER				FUNERAL DIRECTOR'S ILLINOIS LICENSE NUMBER 034014794	
LOCAL REGISTRAR'S NAME DAVID ORR				DATE FILED WITH LOCAL REGISTRAR JULY 9, 2010	
CAUSE OF DEATH PART I METASTATIC COLON CANCER					
IMMEDIATE CAUSE (Final disease or condition resulting in death)		Due to (or as a consequence of):			
		Due to (or as a consequence of):			
		Due to (or as a consequence of):			
		Due to (or as a consequence of):			
PART II Enter other significant conditions contributing to death but not resulting in the underlying cause given in PART I METASTASIS TO LIVER AND LUNG; END STAGE RENAL DISEASE					
DID TOBACCO USE CONTRIBUTE TO DEATH?		FEMALE PREGNANCY STATUS NOT APPLICABLE		WAS AN AUTOPSY PERFORMED? NO	
				WERE AUTOPSY FINDINGS USED TO COMPLETE CAUSE OF DEATH? N/A	
DATE OF INJURY		TIME OF INJURY	PLACE OF INJURY	MANNER OF DEATH NATURAL	
				INJURY AT WORK?	
LOCATION OF INJURY					
DESCRIBE HOW INJURY OCCURRED:				IF TRANSPORTATION INJURY, SPECIFY	
ATTEND THE DECEASED? YES	DATE LAST SEEN ALIVE JULY 01, 2010	WAS MEDICAL EXAMINER OR CORONER CONTACTED? NO	DATE PRONOUNCED	TIME OF DEATH 07:40 AM	
CERTIFIER PHYSICIAN				DATE CERTIFIED JULY 07, 2010	
NAME, ADDRESS AND ZIP CODE OF PERSON COMPLETING CAUSE OF DEATH KIMBERLY BATTLE-MILLER, 8525 WEST 183RD STREET SUITE M, TINLEY PARK, ILLINOIS, 60477				PHYSICIAN'S LICENSE NUMBER 036089483	



This is to certify that this is a true and correct copy from the official death record filed with Illinois Department of Health.

David Orr
David Orr
Cook County Clerk



ANY ALTERATION OR

VOIDS THIS CERTIFICATE

11 AUG -9 PM 4: 30

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS23552
11 MA040

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant,

v.

INDIAN TRAILS PUBLIC LIBRARY
DISTRICT,

Respondent.

Case No. _____

MOTION FOR RECONSIDERATION

NOW COMES the Indian Trail Public Library District (the "District"), by and through its attorneys Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., and for its Motion for Reconsideration, states as follows:

1. On or after June 30, 2011, the District (ID # 23552) received a correspondence from Sharon Steward dated June 30, 2011, indicating that the State Board of Elections (the "State Board") was imposing a fine on the District for alleged delinquent filing of a Schedule A-1. This matter has not been assigned a case number.

2. The violations alleged in the June 30, 2011 Steward correspondence are for matters that have already been alleged against the District in Case No. 11 CD 023 and in Case No. 11 CD 019. These cases have both been the subject of a closed preliminary hearing before a Hearing Officer. In Case No. 11 CD 019 a public hearing is to be scheduled and in Case No. 11 CD 023 the report of the Hearing Officer was issued on August 9, 2011.

3. The District, by its Treasurer Wally Salganik, has signed an Appeal Affidavit and a Request for Hearing in this matter. When the District attempted to file the Appeal Affidavit

and Request for Hearing on August 9, 2011, it was advised that it could not do so without a Motion for Reconsideration. With this Motion for Reconsideration, the District now seeks to file the Appeal Affidavit and Request for Hearing with the State Board, instanter. Failure to file these documents by August 1, 2011 was inadvertent and a docketing error. The Appeal Affidavit and Request for Hearing are both attached to this Motion and incorporated herein by reference.

4. Allowing the filing of the Appeal Affidavit and the Request for Hearing, and then staying this matter or deferring assessment of penalties, if any, until the completion of the above pending cases, is prudent and is the most reasonable and efficient course of action for both the State Board and the District.

WHEREFORE, the Respondent, Indian Trails Public Library District, respectfully prays that its Motion for Reconsideration be granted and the filing of the Appeal Affidavit and the Request for Hearing, instanter, be allowed, and for such other and further relief as is deemed appropriate and just.

Respectfully Submitted,

INDIAN TRAILS PUBLIC LIBRARY DISTRICT



By: M. Neal Smith, One of its Attorneys

KENNETH M. FLOREY
M. NEAL SMITH
ROBBINS, SCHWARTZ, NICHOLAS,
LIFTON & TAYLOR, LTD.
55 W. MONROE STREET
SUITE 800
CHICAGO, IL 60603

CHICAGO

11 AUG -9 PM 4: 30

STATE BOARD OF ELECTIONS

State of Illinois)
)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. _____
)
Indian Trails Public Library District)
Respondent(s).)

APPEAL AFFIDAVIT

I, Wally Salganik, the ~~Chairman~~ Treasurer of the
(Name) (Chairman/Treasurer)
Indian Trails Public Library District
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See Exhibit A, attached hereto and incorporated herein.

Signed and Sworn to by:
Wally Salganik
before me this 4 Day of
August, 2011
[Signature]
Notary Public

Wally Salganik
(Signature of Chairman/Treasurer)



EXHIBIT A

The correspondence of Sharon Steward dated June 30, 2011, indicates that the State Board of Elections has assessed a civil penalty against the Indian Trails Public Library District (the "District") pursuant to 10 ILCS 5/9-3 for allegedly failing to file a D-1 Statement of Organization during the requisite filing period and for allegedly delinquently filing Schedule A-1 Reports.

The District affirmatively states that it is not a "political committee" as defined by Section 9-1.8 of Article 9 of the Illinois Election Code. 10 ILCS 5/9-1.8(a) (2011). The reporting requirements of Article 9 pertain only to political committees. Because the District is not a political committee, it is not subject to the reporting obligations under Article 9 and was not required to file a D-1 or a Schedule A-1.

The term "political committee" includes "ballot initiative committee." 10 ILCS 5/9-1.8(e) (2011). A ballot initiative committee is:

[A]ny natural person, trust, partnership, committee, association, corporation, or other organization or group of persons that accepts contributions or makes expenditures during any 12-month period in an aggregate amount exceeding \$3,000 in support of or in opposition to any question of public policy to be submitted to the electors. "Ballot initiative committee" includes any natural person, trust, partnership, committee, association, corporation, or other organization or group of persons that makes electioneering communications during any 12-month period in an aggregate amount exceeding \$3,000 related to any question of public policy to be submitted to the voters. The \$3,000 threshold applies to any contributions or expenditures received or made with the purpose of securing a place on the ballot for, advocating the defeat or passage of, or engaging in electioneering communication regarding the question of public policy, regardless of the method of initiation of the question of public policy and regardless of whether petitions have been circulated or filed with the appropriate office or whether the question has been adopted and certified by the governing body.

10 ILCS 5/9-1.8(e) (2011).

The District has not made any expenditure advocating the defeat or passage of any question of public policy or otherwise supporting or opposing a question of public policy. Further, the District has not made any electioneering communications related to any question of public policy and has not made any expenditure to secure a place on the ballot for any question of public policy.

The District filed a D-1 Statement of Organization on or about March 18, 2011 because of the District's uncertainty about its reporting requirements in the wake of *Citizens Organized to Save the Tax Cap v. State Board of Elections*, 392 Ill. App. 3d 392, 910 N.E.2d 605 (2009). However, the filing of a Statement of Organization does not make the District a political committee. The filing of a Statement of Organization is a statutory reporting requirement for political committees already in existence, but the filing of a Statement of Organization is not an act that can ever create a political committee where no political committee in fact exists. 10 ILCS 5/9-3 (2011). Rather, a political committee can only be created when it has met the applicable threshold requirements of Section 9-1.8, 10 ILCS 5/9-1.8(e) (2011). The District has not met the threshold requirements of Section 9-1.8(e) to be a ballot initiative committee; therefore, the District is not a political committee notwithstanding its filing of a Statement of Organization.

CHICAGO

11 AUG -9 PM 4:30

STATE BOARD OF ELECTIONS

State of Illinois)
)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. _____
)
Indian Trails Public Library District)
)
Respondent(s).)

REQUEST FOR HEARING

I, Wally Salganik, the ~~Treasurer~~ ^{Chairman} Treasurer
(Name) (Chairman/Treasurer)
Indian Trails Public Library District
(Name of Committee)

Committee, appeals on behalf of the said committee the assessment of civil penalty proposed in this matter and submits in support of that appeal the accompanying affidavit. The said committee requests a hearing at which it will appear to offer reasons and defenses why the proposed assessment should not be imposed.

Wally Salganik
(Signature of Chairman/Treasurer)

Citizens for Robin M. Lisboa
Robin M. Lisboa
3076 Bridgeham Street
Elgin, Illinois 60124

23620
11 MAR 04
FILED
State Board of Elections
SPRINGFIELD, ILLINOIS

AM SEP 27 2011 PM
7 8 9 10 11 12 1 2 3 4 5 6

September 27, 2011

Dear State Board of Elections:

Please accept this letter as my request to you for a motion to reconsider the decision to impose a fine.

On Thursday, March 17, 2011 I received a \$5,000.00 check as a campaign contribution. I opened a checking account and deposited the check. The next day I went to the State Board of Elections (SBE) Chicago office and asked staff for assistance. They were very helpful and I followed their directions. I then headed to the airport for a flight to Europe where I was going for vacation and work.

I completed the form I was directed to submit and gave it to my partner who took it to the Elgin FedEx office. The employee there faxed the form to the Chicago SBE office.

Upon my return to the U.S. I opened a voice mail from an employee of the Chicago SBE. He informed me that they had only received one side of the form I was directed to complete. I therefore went back to the Chicago SBE and spoke with new staff who assisted me again to resubmit the Statement of Organization form.

In June/July of 2011 I received a letter from the SBE regarding the fine for not filing the D-1 Statement of Organization form. I also received a letter for not filing a Schedule

A-1 Report of Campaign contributions. I thought the two letters were referring to the same issue. I again went to the Chicago SBE office for direction as I did not know that I needed to file a Schedule A-1 form, nor had anyone told me that I needed to do so. The \$5,000.00 check is the only check I have received. I have tried to follow the directions provided to me and have appreciated the assistance the staff of the SBE have given to me. I am hoping to have the opportunity to explain the circumstances and actions I have taken to meet State reporting requirements and am hoping that I can have a reconsideration of the fine the SBE has determined they will impose.

Thank you, 



FILED
State Board of Elections
SPRINGFIELD, ILLINOIS

FedEx Office

FedEx Kinko's is now FedEx Office

AM

SEP 27 2011

PM

7,8,9,10,11,12,1,2,3,4,5,6

Fax Cover Sheet

23620

Date Tuesday, September 27, 2011

Number of pages 4 (including cover page)

To:

Name Sharon Steward

Company State Board of Elections

Telephone 217-782-1543

Fax 217-782-5959

Comments Regarding (ID # 23620) Request for

Motion to Reconsider Fines

From:

Name Robin M. Lisboa

Company Citizens for Robin M. Lisboa

Telephone 630-890-3562



Fax - Local Send



Fax - Domestic Send



Fax - International Send

fedex.com 1.800.GoFedEx 1.800.463.3339

© 2009 FedEx. All rights reserved. Products, services and hours vary by location. B13 DP00009 SEP10

12705

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

A.

11 AM 073

Naperville Township Republican Org

ID# 4987

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing a Schedule A-1 Report

The Committee received a \$1,099 in-kind contribution on 1/7/11 and reported it on a Schedule A-1 received by the Board on 1/18/11, 1 day late. The total assessment is \$550.

Robert Wegner, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Wegner states that the in-kind contribution was a donation in support of office space for the Committee headquarters. He says as a repeating monthly entry these contributions can be arbitrarily recorded on any date of a given month. Mr. Wegner adds that the infraction was committee inadvertently.

In regards to an in-kind contribution, Section 100.120 of the Board's Rules and Regulations states in part, "*If no notification has been received, the in-kind contribution is deemed received on the date the candidate, chairman or treasurer of the recipient committee, or the public official, obtains knowledge of the in-kind contribution.*" As a monthly rent contribution, it can be argued the Committee has knowledge of the in-kind on the first date of each month, and perhaps should be reported as such rather than selecting an arbitrary date. But in any case, based on the date reported by the Committee as the receipt date for this in-kind contribution, the Schedule A-1 was clearly filed late. I recommend the appeal be denied. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first A-1 violation for this Committee, I further recommend the penalty be reduced to 10% of the original assessment, or \$55. As a first violation, the penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$5,579.13.)



Tom Newman – Hearing Officer
July 29, 2011

STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
 Springfield, Illinois 62708
 217/782-4141
 Fax: 217/782-5959

James R. Thompson Center
 100 West Randolph, Suite 14-100
 Chicago Illinois 60601
 312/814-6440
 Fax: 312/814-6485



EXECUTIVE DIRECTOR

Rupert T. Borgsmiller

June 30, 2011

BOARD MEMBERS
 Bryan A. Schneider, Chairman
 Wanda L. Rednour, Vice Chairman
 Patrick A. Brady
 John R. Keith
 William M. McGuffage
 Albert S. Porter
 Jesse R. Smart
 Robert J. Walters

Naperville Township Republican Org
 Robert Wegner
 1117 Holly Ct
 Naperville, IL 60540-7227

ID# 4987

Dear Naperville Township Republican Org:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Marquette Water St/Webster St Dist Dev	1/7/2011	\$550	\$1099	1/18/2011	1

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$550 for delinquent filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$55, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
 Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)

County of)

DePage

STATE BOARD OF ELECTIONS

11 JUL 15 AM 10:30

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11AM073

Committee ID 4987

Respondent(s).)

APPEAL AFFIDAVIT

I, Robert L. Wegner, the Treasurer of the
(Name) (Chairman/Treasurer)

Naperville Township Republican Organization
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

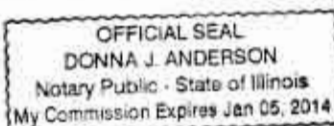
Please see attached defense and request.

Signed and Sworn to by:

Robert L. Wegner
before me this 12th Day of
July, 2011

Donna J. Anderson
Notary Public

Robert L. Wegner
(Signature of Chairman/Treasurer)



- Whereas the penalty assessed is for filing an A-1 in January, 2011 just one day late;
- Whereas the A-1 in question records only an In-Kind donation in the amount of \$1099 to the Naperville Township Republican Organization (NTRO) from the Marquette Water Street/Webster Street District Development Corporation in support of the NTRO headquarters;
- Whereas said In-Kind is a repeating monthly entry in our filing process that can arbitrarily be recorded in IDIS on any date of a given month;
- Whereas no cash, checks or other monies were actually exchanged between these parties;
- Whereas NTRO has had an exceptional filing history with the Board of Elections since mid-2009;
- Whereas said infraction was committed inadvertently;

Therefore, I respectfully appeal this sanction and ask that the Board dismiss it in its entirety and remove it from all records.

Robert H. Wegner
 (630) 637-1878
 bobntro52@gmail.com

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 AM 045

ActBlue Illinois
Respondent

ID# 19891

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently Filing
Schedule A-1 Reports

Between 1/4/11 and 3/19/11, the Committee received a total of 20 contributions of \$1000 or more for a total of \$37,500, and reported these on a Schedule A-1 received by the Board on 3/29/11, ranging from 53 to 6 days late, resulting in a civil penalty assessment of \$18,750. Additionally, the Committee had previously been assessed a \$500 civil penalty (appealed, appeal denied, paid) for delinquently filing a Schedule A-1 for the 2010 General Election and civil penalties totaling \$480 (not appealed, paid) for delinquently filing several Schedule A-1s for the 2008 General Primary Election. The total assessment is \$18,750.

Steven Gold, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Gold states that a number of factors contributed to cause the late filing. He says at the time changes to the Campaign Disclosure Law went into effect on January 1, 2011, there was still some confusion about the A-1 reporting requirements, in that the original interpretation of the law was that aggregate contributions totaling \$1000 or more would require A-1 reports. Mr. Gold says only after January 1 were the rules clarified to indicate that aggregate contributions would not have to be reported on a Schedule A-1. He adds that the Committee's internal software used for recording and reporting incoming contributions also had a "minor bug" that prevented Committee staff from being notified when an A-1 was required. Finally, Mr. Gold questions whether the Board should offer an amnesty from Schedule A-1 fines for the first quarter of 2011, since a similar amnesty was given for the less-complicated filing of Quarterly Reports.

The Committee is correct in noting that there was initially some confusion about whether aggregate contributions totaling \$1000 or more would require A-1 reporting. However, this had no impact on these 20 contributions received by the Committee, because each by itself totaled \$1000 or more, and therefore would have required an A-1 regardless of the aggregate issue. The issue of the software bug raised by Mr. Gold is solely the Committee's responsibility and does not relieve the Committee of its A-1 filing requirement. I therefore recommend the appeal be denied. However, since there is no indication the violations in question were anything other than inadvertent and unintentional, and these represent the third set of delinquent A-1 filings by this Committee, I further recommend the civil penalty be 100% of the original assessment, or \$18,750. If these recommendations are accepted by the Board, the total assessment of \$18,750 will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$4,356.27.)


Tom Newman - Hearing Officer

July 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

ActBlue Illinois
Matt DeBergalis, Erin Hill
PO Box 382110
Cambridge, MA 02238-2110

ID# 19891

Dear ActBlue Illinois:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

18750

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Abdul Ahed	2/8/11	\$1000	\$1000	3/29/11	32 ✓
Steven Cohen	1/4/11	\$1000	\$1000	3/29/11	53 ✓
Paul Coladonato	1/10/11	\$5000	\$5000	3/29/11	49 ✓
Michelle Collins	1/26/11	\$1000	\$1000	3/29/11	41 ✓
Scott Gendell	2/18/11	\$1000	\$1000	3/29/11	26 ✓
John George	2/11/11	\$1000	\$1000	3/29/11	30 ✓
Keith Hebeisen	2/27/11	\$1500	\$1500	3/29/11	18 ✓
Amin Ibrahim	2/8/11	\$1000	\$1000	3/29/11	32 ✓
Dan Johnson	3/13/11	\$1500	\$1500	3/29/11	11 ✓
James Masterson	2/15/11	\$1000	\$1000	3/29/11	2/ ✓
S Jin park	2/11/11	\$2500	\$2500	3/29/11	30 ✓
Paula Riggins	2/18/11	\$2000	\$2000	3/29/11	26 ✓
Gary Sagui	3/19/11	\$5000	\$5000	3/29/11	6 ✓
Heather Steans	2/17/11	\$2500	\$2500	3/29/11	26 ✓

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Lawrence Suffredin Jr	1/27/11	\$1000	\$1000	3/29/11	40
Lawrence Suffredin Jr	3/8/11	\$1000	\$1000	3/29/11	14
Thomas Vanden Berk	2/3/11	\$1500	\$1500	3/29/11	35
Mark Weisberg	1/29/11	\$1000	\$1000	3/29/11	39
Kanye West	2/17/11	\$5000	\$5000	3/29/11	26
James Wisman	2/26/11	\$1000	\$1000	3/29/11	18

The committee is fined a **total** of \$37,500 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

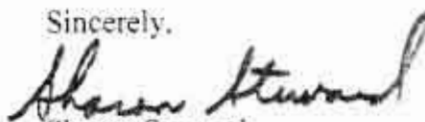
Since this is the third or subsequent delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$18750, (50% of the total amount of contribution(s) reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

11 JUL -5 AM 11:18

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

Case No. 11 AM 045

ActBlue Illinois

Respondent(s).

APPEAL AFFIDAVIT

I, Steven Gold, the Chairman of the
(Name) (Chairman/Treasurer)

ActBlue Illinois

(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Please see attached.

Signed and Sworn to by:

Steven Gold
before me this 30th Day of
June, 2011

Daniel Wilson
Notary Public

Steven Gold

Steven Gold
(Signature of Chairman/Treasurer)

Attachment to Appeal Affidavit of ActBlue Illinois

ActBlue Illinois failed to timely file A-1 reports disclosing twenty contributions of \$1,000 or more. These contributions were not disclosed during the required time frame due to a technological error. All of these contributions were disclosed on A-1 reports on ActBlue Illinois's own initiative immediately upon discovering the error, before the Board of Elections took any action with regard to the contributions.

A number of factors contributed to the error. The General Assembly adopted new reporting requirements in 2010, which the staff of ActBlue Illinois followed closely. Part of these new requirements was a change from brief, infrequent periods preceding elections during which A-1 reports must be filed, to a constant requirement that reports be filed whenever a contributor exceeded the threshold regardless of the time of year. As the Board of Elections worked to implement this new reporting requirement, there was conflicting information released, particularly related to how the threshold was calculated. Initial indications – as late as November 2010 – were that contributions would be aggregated to determine whether the threshold was met. Only after the new law took effect on January 1, 2011 was a final rule issued stating that there would be no aggregation requirement. The changing standards and lack of finalized rules until even after the new law had taken effect made planning our reporting processes difficult, which contributed directly to this violation.

Ultimately, it was a computer error which led to ActBlue Illinois's failure to report on time. During the first three months of 2011 alone, when the violation occurred, ActBlue Illinois received over \$139,000 in contributions from approximately 800 different people; and during the same period, ActBlue's national operation received over \$9 million in contributions from over 125,000 people. It is simply not possible for a person to monitor all of this activity manually each day to identify contributions that require reporting. Effective monitoring requires the assistance of sophisticated technology. Despite our best efforts to ensure that the technology we developed to solve this problem – working under an atmosphere of uncertainty about the rules – was flawless, a minor bug which made its way into the software meant that the activity was being monitored, but the notification produced by the software never reached the staff responsible for completing the report. While preparing to file our first quarter D-2 report, we noticed the contributions that should have been reported previously and submitted them immediately, reporting all of them that very day. We have also taken steps since that time to repair the software, and we have successfully reported – on time – all ten reportable contributions received.

I would like to respectfully request that the fine imposed on ActBlue Illinois for this violation be waived or substantially reduced in light of the fact that: 1. the rules regarding reporting of A-1 contributions were not clearly defined early enough to leave sufficient time to comply; 2. the failure to report was inadvertent, the result of a highly technical computer error; and 3. ActBlue Illinois took steps to correct the oversight immediately and has resolved the problem for the future.

It is my understanding that the Board has made the decision to offer amnesty from reporting fines to those committees that have failed to file the first quarter D-2 report due to confusion caused by the new reporting rules. It would seem entirely appropriate that ActBlue Illinois be extended the same courtesy in the case of A-1 reporting, which is substantially more complicated than quarterly reports. The size of this fine as imposed on ActBlue Illinois carries no deterrent effect since this error was inadvertent and has been corrected. As such, it serves no purpose other than to punish ActBlue Illinois for an innocent mistake. This is particularly the case given that all of the money ActBlue Illinois raises is contributed directly to other candidates and committees which ActBlue's contributors identify for support. None of the funds used by ActBlue Illinois to pay any fines imposed will be derived from contributions made but not reported in a timely manner; all of those funds have been sent to the recipients selected by the original contributors. Rather than disgorging illegitimate funds, a fine imposed will force ActBlue Illinois essentially to relinquish the funds twice. This would be a particularly harsh punishment since more than a quarter of the contributions reported late were in any case disclosed well in advance of the 2012 election that they were designated for, essentially causing no harm to the voting public.

If any additional information would be helpful in the disposition of this appeal, please do not hesitate to contact me at (617) 517-7636 or by email at steve@actblue.com. Thank you.

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 DS 335

Friends of Berrios

ID# 4758

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the
December 2010 Semi-Annual Report

The Report was received by the Board on May 16, 2011, 80 days late, resulting in a civil penalty assessment of \$2,000.

Joseph Berrios, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Berrios states the Committee filed a Final Report on December 31, 2010. He says an amendment was later necessary because of an error on the Report, but the IDIS 2.0 electronic filing software required the Semi-Annual Report to be filed before an amended Final Report could be uploaded. He says even though the Semi-Annual Report appeared to be late, it was actually an amendment and the Committee did file its reports timely.

As Mr. Berrios describes, the IDIS software will not allow a Final Report to be filed until any other reports listed as due are filed. So the Report in question was in fact an amendment of a report that was filed on time. I recommend the appeal be granted.



Tom Newman – Hearing Officer

October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert L. Walters

Friends of Berrios
Joseph Berrios
33 N LaSalle St, Ste 3300
Chicago, IL 60602-3395

ID# 4758

Dear Friends of Berrios:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on May 16, 2011, 80 days late. As such, this committee has been assessed a fine of \$2000.

Enclosed please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Roninous at 217-782-1543.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Steward".

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

CHICAGO

11 SEP 14 PM 1:17

STATE BOARD OF ELECTIONS

State of Illinois)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

Case No. 11 DS 335

Joseph Berrios / FRIENDS OF BERRIOS

Respondent(s).

APPEAL AFFIDAVIT

I, Joseph Berrios, the Chairman of the
(Name) (Chairman/Treasurer)

Friends of Berrios

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Final Report was filed on this committee December 31, 2010. Subsequently, an error was discovered and an amendment was requested by the Illinois State Board of Elections. The Semi Annual Report filed on May 16, 2011 was an amendment. IDIS v2 prompted the filing of the new semi-annual report and not an amendment as should have been the case. The Committee should not have been assessed a penalty as the Committee has met all filing obligations in a timely manner and is currently inactive. The Illinois State Board of Elections Web Site also shows the committee as having filed its "Final Report" and the Committee as not active.

Signed and Sworn to by:

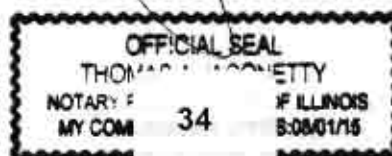
Joseph Berrios

before me this 14th Day of

September, 2011

[Signature]
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



Friends of Berrios

Purpose: To elect Joseph Berrios to the
Metropolitan Sanitary Dist.

33 N LaSalle St, Ste
3300
Chicago, IL 60602-
3395

Final
Local 1210
Committee ID 4758

Creation Date: 3/15/1988

Officers Previous Officers Candidates

Report Type	Reporting Period	Filed	Pages	Clarification
D-2 Semiannual Report	7/1/2010 to 12/31/2010	5/16/2011 2:27:09 PM Filed electronically	15	
D-2 Final Report	10/4/2010 to 12/31/2010	12/31/2010 2:00:38 PM Filed electronically	10	
A-1 (\$500+ 30 days prior)	2010 GE	11/2/2010 10:07:27 AM Filed electronically	2	
D-2 Pre-election Report	2010 GE 7/1/2010 to 10/3/2010	10/18/2010 7:36:12 PM Filed electronically	4	
A-1 (\$500+ 30 days prior)	2010 GE	10/14/2010 10:04:13 PM Filed electronically	1	
A-1 (\$500+ 30 days prior)	2010 GE	10/13/2010 10:34:48 AM Filed electronically	2	
D-2 Semiannual Report	1/1/2010 to 6/30/2010	7/20/2010 7:01:24 PM Filed electronically	9	
A-1 (\$500+ 30 days prior)	2010 GP	1/27/2010 8:51:13 AM Filed electronically	1	
D-2 Semiannual Report	7/1/2009 to 12/31/2009	1/20/2010 10:02:53 PM	9	

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 JQ 021

PAC of the Structural Engineers Assn of IL (SEA PAC) ID# 4943
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on August 2, 2011, 12 days late, resulting in a civil penalty assessment of \$600.

Jay Patel, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Patel states that the Committee had difficulty setting up the IDIS version 2.0 electronic filing software. He says due to an internal system error, it took multiple attempts over several days before the Report was able to be filed.

In order to be consistent with previous Board rulings where an electronic filing defense is raised, and since this Committee has not previously raised such a defense, I recommend the appeal be granted. The Committee should be aware that the Board is not likely to look favorably on the use of such a defense in the future. (As of 6/30/11, this Committee reported a funds available balance of \$17,525.33.)



Tom Newman – Hearing Officer
September 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

PAC of the Structural Engineers Assn of IL (SEA PAC)

ID# 4943

Jay A Patel
1113 N Old Bridge Rd
Palatine, IL 60067

Dear PAC of the Structural Engineers Assn of IL (SEA PAC):

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 2, 2011, 12 days late. As such, this committee has been assessed a fine of \$600.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sharon Steward", is written over a horizontal line.

Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

State of Illinois)
County of cook)

CHICAGO

11 SEP -8 AM 9 47

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;
ILLINOIS STATE BOARD OF ELECTIONS,
Complainant

Vs.
PAC of the Structural Engineers
Association of IL. (SEAPAC)
Respondent(s). (ID# 4943)

Case No. 11 JQ 021

APPEAL AFFIDAVIT

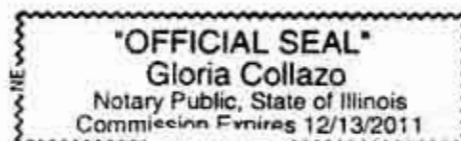
I, Jay A. Patel, the Treasurer of the
(Name) (Chairman/Treasurer)
PAC of the Structural Engineers Association of IL. (SEAPAC)
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. Difficulties encountered for getting a timely access to IDIS v2.0 software for filing Quarterly Report. Due to internal system error, it took several days / attempts for access to the account. Board of Election personnel provided an excellent help and support to set up committee account properly for future use without delay.
2. Committee requests to waive assessed penalty of \$600.00 in its entirety. Committee thanks and appreciates Board's decision to waive the penalty for the first time violation.
3. This is a not-for-profit organization and the purpose of Committee is to make contribution to candidate for state and local public office (without regard to political affiliation) who have demonstrated interest in the advancement of the structural engineering profession.

Signed and Sworn to by:
Jay A. Patel
before me this 8 Day of
September, 2011
Gloria Collazo
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 DS 336

Citizens for Suarez

ID# 6555

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the
December 2010 Semi-Annual Report

The Report was received by the Board on March 28, 2011, 45 days late, resulting in a civil penalty assessment of \$1,125.

Alberto Negron, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Negron states the Committee filed a Final Report on December 31, 2010. He says an amendment was later necessary because of an error on the Report, but the IDIS 2.0 electronic filing software required the Semi-Annual Report to be filed before an amended Final Report could be uploaded. He says even though the Semi-Annual Report appeared to be late, it was actually an amendment and the Committee did file its reports timely.

As Mr. Negron describes, the IDIS software will not allow a Final Report to be filed until any other reports listed as due are filed. So the Report in question was in fact an amendment of a report that was filed on time. I recommend the appeal be granted.



Tom Newman – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert L. Walters

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

Citizens for Suarez
Regner "Ray" Suarez, Alberto Negrón
4502 W Fullerton Ave
Chicago, IL 60639-1934

ID# 6555

Dear Citizens for Suarez:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on March 28, 2011, 45 days late. As such, this committee has been assessed a fine of \$1125.

Enclosed please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

CHICAGO

State of Illinois)
County of Cook)

11 SEP 14 PM 1:17

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

Case No. 11 DS 336

Alberto Negron / CITIZENS FOR SUAREZ

Respondent(s).

APPEAL AFFIDAVIT

I, Alberto Negron, the Treasurer of the
(Name) (Chairman/Treasurer)

Citizens for Suarez

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Final Report was filed for this committee on December 31, 2010. Subsequently, an error was discovered-a missing employer and occupation-and an amendment was requested by the Illinois State Board of Elections. The Semi Annual Report filed on March 28, 2011 was an amendment. IDIS v2 prompted the filing of the new semi-annual report and not an amendment as should have been the case. The Committee should not have been assessed a penalty as the Committee has met all filing obligations in a timely manner and is currently inactive. The Illinois State Board of Elections Web Site also shows the committee as having filed its "Final Report" and the Committee as not active.

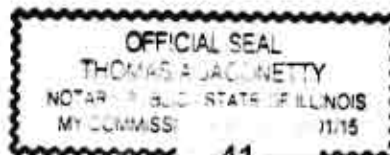
Signed and Sworn to by:

Alberto NEGRON

before me this 14th Day of
September 2011

Thomas A. Jacunetty
Notary Public

Alberto Negron
(Signature of Chairman/Treasurer)



Citizens for Suarez

Purpose: Support candidate and those of the
Democratic Party

4502 W Fullerton Ave
Chicago, IL 60639-
1934

Final
Local 2769
Committee ID 6555

Creation Date: 9/13/1990

Officers

Candidates

Report Type	Reporting Period	Filed	Pages	Clarification
D-2 Final Report (Amendment)	7/1/2010 to 12/31/2010	3/28/2011 9:28:26 AM Filed electronically	26	Missing employer/occupation and information from the beginning of the reporting period.
D-2 Semiannual Report	7/1/2010 to 12/31/2010	3/28/2011 9:27:43 AM Filed electronically	30	Missing employer/occupation.
D-2 Final Report	10/4/2010 to 12/31/2010	12/31/2010 3:11:24 PM Filed electronically	17	
D-2 Pre-election Report (Amendment)	2010 GE 7/1/2010 to 10/3/2010	12/31/2010 2:57:28 PM Filed electronically	9	
A-1 (\$500+ 30 days prior)	2010 GE	11/2/2010 10:39:37 AM Filed electronically	3	
A-1 (\$500+ 30 days prior)	2010 GE	10/27/2010 10:25:49 PM Filed electronically	2	
D-2 Pre-election	2010 GE	10/18/2010 7:34:43 PM		

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

A.

11 JQ 055

Friends of Deborah Seyller

ID# 11740

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on August 2, 2011, 12 days late, resulting in a civil penalty assessment of \$300.

Deborah Seyller, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Seyller states that the Committee Treasurer contacted the Board for assistance with electronic filing on July 15, and was told the Report showed that it was filed at 9:30am. After receiving notice that the Report had not in fact been filed, the Treasurer again contacted the Board on August 2 for assistance and then re-filed the Report, as well as a Final Report. She stresses that the Committee did not continue with its attempt to file the Report on July 15, because it was told the Report was already showing as filed.

I am at a loss to explain why the Committee would have been told the Report was filed on July 15, since it clearly was not. The only possible explanation I can find is that the Committee's previous Quarterly Report had been filed on April 15 at approximately 9:30am, and perhaps there was a failure in communication between the Committee and Board staff regarding which Report was being discussed. At any rate, since the Committee's failure to file was related to electronic filing issues, in order to be consistent with previous Board decisions where an electronic filing defense was raised, and since this Committee has not previously used such a defense, I recommend the appeal be granted. (The Committee filed a Final Report on August 2, 2011.)



Tom Newman – Hearing Officer
October 5, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Deborah Seyller
Deborah Seyller
41W573 Lenz Rd
Elgin, IL 60123-8615

ID# 11740

Dear Friends of Deborah Seyller:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 2, 2011, 12 days late. As such, this committee has been assessed a fine of \$300.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)

County of Kane)

STATE BOARD OF ELECTIONS

11 SEP 29 AM 10:19

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11JQ 055

Friends of Deborah Seyller)
(Respondent(s))

APPEAL AFFIDAVIT

I, Deborah Seyller, the Chairman of the
(Name) (Chairman/Treasurer)

Friends of Deborah Seyller
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See attached

Signed and Sworn to by:

Kristy Sharpness
before me this 28th Day of
September, 2011

Kristy Sharpness
Notary Public

Deborah Seyller
(Signature of Chairman/Treasurer)



Friends of Deborah Seyller # 11740

On July 15, 2011, Ellen Nottke attempted to file the report for Friends of Deborah Seyller. The upgrade to the filing system required her to call the Electoral Board for technical support. The woman that she spoke with told her that the report showed that it was filed at 9:30 A.M. After that, it was assumed that the report was filed based on information from the Electoral Board.

The committee then received notice that we had not filed. Ellen again called the Electoral Board, explained what had happened, and was told that we would receive notice of a fine but not to worry about it. With that statement, the assumption was that the process started for failing to file would be stopped. She re-filed the report, this time also closing the committee.

We received the decision of the fine and Ellen contacted the Electoral Board, again, this time speaking to a gentleman.

It was based on information from the Electoral Board telling us that the report was showing as already filed that the committee did not attempt to continue filing the report on July 15th. Upgrades frequently cause issues, and hearing that the report was showing as filed, should have been valid information on which the committee could rely.

Deborah Seyller

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 JQ 065

Friends of Michael Howley ID# 14040
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 25, 2011, 6 days late, resulting in a civil penalty assessment of \$300.

Michael Howley, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Howley states that he originally attempted to electronically file the Report on July 10, the day before leaving town on a family vacation. Mr. Howley says he believed at that time the Report had been successfully filed, but unfamiliarity with the electronic filing software apparently prevented him from realizing the filing had not been completed.

In order to be consistent with previous Board rulings where an electronic filing defense is raised, and since this Committee has not previously used such a defense, I recommend the appeal be granted. (As of 6/30/11, this Committee reported a funds available balance of \$9,992.57.)



Tom Newman – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Michael Howley
Michael Howley
9258 S 82nd Ave
Hickory Hills, IL 60457-1910

ID# 14040

Dear Friends of Michael Howley:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 25, 2011, 6 days late. As such, this committee has been assessed a fine of \$300.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be **stayed**. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

A handwritten signature in black ink that reads "Sharon Steward".

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)

County of)

Cook

STATE BOARD OF ELECTIONS

11 SEP 20 10:58

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

FRIENDS OF

MICHAEL HOWLEY

Respondent(s).)

Case No. 11JQ 065

APPEAL AFFIDAVIT

I, MICHAEL HOWLEY, the CHAIRMAN of the

(Name)

(Chairman/Treasurer)

FRIENDS OF MICHAEL HOWLEY

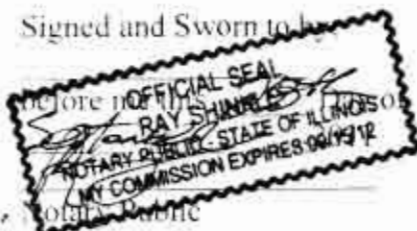
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

SEE ATTACHED SIGNED REASONS WITH ATTACHED

COMPUTER SCREEN SHOTS

Signed and Sworn to before me



Michael Howley
(Signature of Chairman/Treasurer)

RE: ILLINOIS STATE BOARD OF ELECTIONS VS. FRIENDS OF MIKE HOWLEY

September 28, 2011

To Whom It May Concern:

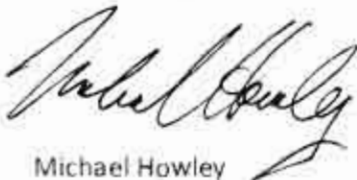
As noted, the civil penalty in this case is stayed since this is a first time violation. Nevertheless, since I always have been diligent with my campaign reporting for more than 10 years, I would like to appeal this matter because I made a good faith effort to timely submit the subject campaign report.

I have attached a short string of e-mail responses with the State Board of Election representative and have attached various computer screen shots that evidence that I entered my campaign report electronically the night of July 10, 2011. I remember that date because I was heading out of town on a family vacation the next morning so I knew that I needed to submit this report. Unfortunately, I mistakenly thought that I had properly submitted the campaign report that evening. Indeed, when I received the backup reminder (see last computer screen shot), I jumped to the erroneous conclusion that the report was transmitted. Since I was just getting familiar with using the IDIS version 2.0 I decided to take a screen shot just in case there were any problems so I would have it as backup. At the time, I was unaccustomed as to whether an e-mail confirmation of receipt would be received.

I honestly, but mistakenly believed that the report had been properly submitted July 10, 2011. However, much to my surprise, shortly after my return from vacation I received the notification that the electronic submission had failed. I am hopeful that your review of the e-mail string will convince you that in good faith I made every effort to submit my campaign report in a timely manner as I have done every reporting period. The mistake in somehow failing to properly transmit was an honest one and had more to do with my unfamiliarity with IDIS 2.0. Perhaps my honest error is not a sufficient excuse, but it means a lot to me to have a clean campaign finance record after all of these years so that is why I am contesting this finding.

Thanks for considering my appeal.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Howley", written over a horizontal line.

Michael Howley

Chairman of Friends of Mike Howley Campaign Committee

From: Mrozowski, Kim [KMrozowski@elections.il.gov]
Sent: Monday, July 25, 2011 2:00 PM
To: 'Mike Howley'
Subject: RE: Friends of Mike Howley Election Report

Yes, we have now received it!

From: Mike Howley [mailto:howley@insite-inc.com]
Sent: Monday, July 25, 2011 2:00 PM
To: Mrozowski, Kim
Subject: RE: Friends of Mike Howley Election Report

It does not list any reports as due now so I should be good to go.

Thanks Kim.

Mike

From: Mrozowski, Kim [mailto:KMrozowski@elections.il.gov]
Sent: Monday, July 25, 2011 1:55 PM
To: 'Mike Howley'
Subject: RE: Friends of Mike Howley Election Report

Click on the third icon from the left that looks like a gray box with an i in it.

From: Mike Howley [mailto:howley@insite-inc.com]
Sent: Monday, July 25, 2011 1:54 PM
To: Mrozowski, Kim
Subject: RE: Friends of Mike Howley Election Report

Hi Kim,

My campaign committee is not very active or large for that matter. However, below are the entries for expenditures that I entered Sunday, July 10, 2011. From check 335 up to check 423. I attach snapshot pictures of what I saw that evening. I just did the process again and received the bottom snapshot response which I believe I saw on July 10 as well.

Nevertheless, I just wanted to explain and apologize for my apparent oversight or error the first time.

Given the response, please confirm that I am safe to assume that the report was filed.

Thanks,

Mike

-----Original Message-----

From: Mrozowski, Kim [<mailto:KMrozowski@elections.il.gov>]
Sent: Monday, July 25, 2011 11:23 AM
To: 'howley@insite-inc.com'
Subject: RE: Friends of Mike Howley Election Report

Hi Mike,

I do not show a report being received on this date. Do you have a receipt # that is produced after the report has been filed?

Thanks,
Kim

-----Original Message-----

From: howley@insite-inc.com [<mailto:howley@insite-inc.com>]
Sent: Friday, July 22, 2011 5:18 PM
To: Mrozowski, Kim
Subject: Friends of Mike Howley Election Report

Hi Kim,

I just received the letter from you dated July 19,2011. I actually electronically submitted an election report on July 10, 2011 at around 10:30 pm. I know that was the date because I wanted to make sure I submitted before my family left for a vacation in Wisconsin the next morning.

I am updated on the IDIS 2.0 from the last filing so I do not understand how it did not transmit.

Are you certain there is no e-record of filing? I am on blackberry now so cannot check my computer until Monday.

Mike Howley

Consolas 10.5 A A

Paste Format Painter Clipboard Basic Text

Address Book Check Names Attach File Attach Item Business Card Include

Report List - Friends of Michael Howley

Friends of Michael Howley

Password/Signers Reason for Amendment/Filing Results

Kim,

campaign com
check 423.

Provide a description of amended information, including the D2 Section amended.

Filing Messages

Sending report to the State Board of Elections...
 Saving filing receipt..... done
 Updating filed receipts..... done
 Updating filed expenditures..... done
 Finishing update of filed data..... done
 Report SUCCESSFULLY filed.

Close

4/14/2011	Various fundraising events	\$100.00	Transfer Out	335
9/28/2010	Various fundraising events	\$100.00	Transfer Out	334
9/18/2010	Various fundraising events	\$100.00	Transfer Out	333
8/19/2010	Various fundraising events	\$60.00	Transfer Out	332
6/22/2010	St. Helen and Constantine Church	\$125.00	Transfer Out	331

Expenditure Detail Notes

Backup Reminder

You last backed up on 7/10/2011 10:20:00 PM. Do you want to backup now?

Yes No Cancel

Report List - Friends of Michael Howley

Friends of Michael Howley

Password/Signers Reason for Amendment/Filing Results

Ready to file the Quarterly Report for the period 4/1/2011 through 6/30/2011...

Password:

☐ Committee Address Changed

I declare that this report of campaign contributions and expenditures (including accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct, and complete report as required by Article 9 of the Election Code. I understand that willfully filing a false or incomplete report is a crime.

Treasurer Or Candidate: Howley, Mike - 9258 S. 82nd Avenue, Hickory Hills, IL

Person submitting this report if other than treasurer or candidate.

Submitter: Howley, Mike - 9258 S. 82nd Avenue, Hickory Hills, IL

Person signing B-9 if Schedule B-9 included.

B-9 Signer: Howley, Mike - 9258 S. 82nd Avenue, Hickory Hills, IL

File Now Close

Date	Description	Amount	Type	Check #
4/14/2011	Various fundraising events	\$100.00	Transfer Out	335
9/28/2010	Various fundraising events	\$100.00	Transfer Out	334
9/18/2010	Various fundraising events	\$100.00	Transfer Out	333
8/19/2010	Various fundraising events	\$60.00	Transfer Out	332
6/22/2010	St. Helen and Constantine Church	\$125.00	Transfer Out	331

Expenditure Detail Notes

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

11 AJ 007

Brandon Phelps for State Representative 16309

Respondent

REPORT OF HEARING EXAMINER

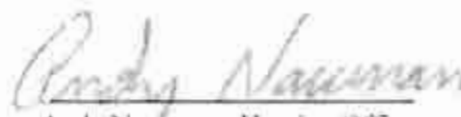
Appeal of Civil Penalty Assessment for Delinquent Filing
A Schedule A-1 for the 2nd Quarter of 2011

This committee received one \$2,500 contribution and one \$5,000 contribution on 4/4/11 and filed them on a Schedule A-1 on 5/4/11, resulting in a civil penalty assessment of \$3,750.

The Respondent was represented by attorney Michael Kasper at the 8/31/11 appeal hearing.

Mr. Kasper indicated that Committee made a typographical error when entering the contributions receipt date for the Southern Wine & Spirits of America \$2,500 and IBEW Educational Committee \$5,000 contributions. The date of 4/4/11 was entered rather than the date of 5/4/11. The deposit slip and the copy of the checks that were supplied with the appeal affidavit show that the checks were written after the reported receipt date of 4/4/11. The deposit slip was filled out on 5/4/11. The Bank statement shows a deposit date of 5/18/11. The Committee filed a Schedule A-1 for these contributions on 5/4/11.

I recommend that the appeal be granted. It appears the Committee may have entered the wrong receipt date when entering these contributions into the IDIS program. The dates listed on the checks (4/20/11 & 4/13/11) were after the reported receipt date of 4/4/11 for these contributions and the 5/4/11 date listed on the deposit slip matches the date the Committee filed a Schedule A-1 for these contributions. However, the Committee did not deposit these contributions until 5/18/11. Therefore, I also recommend that the Committee amend the 2nd Quarterly Report of 2011 to reflect a receipt date of 5/18/11 for the Southern Wine & Spirits of America contribution and the IBEW Educational Committee contribution within 30 days of the Boards Final Order. Failure to comply with the said Order could subject the Committee to a penalty not to exceed \$5,000. (As of 6/30/11, this committee reported a funds available balance of \$64,212.91.)


Andy Nauman – Hearing Officer
September 13, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBE

Complainant(s).

Vs.

Case No. 11AJ002

Brandon Phelps for State Rep

Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S)

or

☒ RESPONDENT(S)

(Insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

NICHOLE KOPAR

Address:

222 N. LEXINGTON #300

City/State/ZIP

Chicago IL 60601

Telephone:

312 704 3052

FAX No.:

312 368 4944

EMAIL:

Will you accept service of documents via FAX transmissions?

Check one: ☒ Yes ☐ No

Nichole Kopar

Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Brandon Phelps for State Representative
PO Box 401
Harrisburg, IL 62946-0401

ID# 16309

Dear Brandon Phelps for State Representative:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Southern Wine & Spirits of America	4/4/2011	\$1250	\$2500	5/4/2011	17
IBEW Educational Cmte	4/4/2011	\$2500	\$5000	5/4/2011	17

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$3750 for delinquent filing Schedule A-1 reports. This total ***does not*** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$375, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

11 JUL 20 AM 10:07

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11AJ007

Brandon Phelps for State Representative)

Respondent(s).)

APPEAL AFFIDAVIT

I, Brandon Phelps, the Chairman of the
(Name) (Chairman/Treasurer)

Brandon Phelps for State Representative

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Penalty wrongly assessed because the report contained an erroneous

entry regarding date of deposit.

Signed and Sworn to by:

Brandon W. Phelps

before me this 11th Day of

July, 2011

Richard M. Sloan

Notary Public

(Signature of Chairman/Treasurer)



Brandon Phelps
PO Box 401
Harrisburg IL 62946
5-4-11

IBEW
S
Wine

5000 -
2500 -

Harmon State Bank

7500 -

SOUTHERN WINE & SPIRITS OF AMERICA, INC.
2400 SW 14TH AVENUE
SUITE 200
MIAMI, FL 33027

BANK OF AMERICA, N.A.
ATLANTA, GA
64 2275611

0000775235

04/20/2011

AMOUNT: \$ 2,500.00

DOLLARS

*** TWO THOUSAND FIVE HUNDRED USD AND ZERO CENTS ***

PAY TO THE ORDER OF BRANDON PHELPS FOR REPRESENTATIVE
PO BOX 401
HARRISBURG, IL 62946

[Signature]
Tony

AUTHORIZED SIGNATURES

VOID AFTER 90 DAYS

⑈0000775235⑈ ⑆061112788⑆ 329 903 8291⑈

I.B.E.W. EDUCATIONAL COMMITTEE
900 Seventh Street, N.W.
Washington, D.C. 20001



Associated Bank
Member FDIC

1000 N Street, N.W.
Washington, DC 20005

VOID AFTER 180 DAYS

21359

***Five Thousand & 00/100 Dollars

PAY TO THE ORDER OF

Brandon Phelps for State Representative
PO Box 401
Harrisburg, IL 62946

04/13/2011

***\$5,000.00

Memo: 2011 Non-Federal

DOLLARS

[Signature]

⑈021959⑈ ⑆054001673⑆ 81000801⑈



BRANDON PHELPS FOR STATE REP
Account No. : 2505517
Stmt. Date : 05/31/2011

Bank : 335
Images : 9
Page : 3

IMAGE STATEMENT



Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-18-11
Pay to the order of: 5000
\$ 5000
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2852

AMT: 7,500.00 SEQ: 60102550
CK: DT: 05/18/11 ST: Deposit

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-12-11
Pay to the order of: 750.00
\$ 750.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2758

AMT: 750.00 SEQ: 80001890
CK: 2758 DT: 05/12/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-24-11
Pay to the order of: 100.00
\$ 100.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2852

AMT: 100.00 SEQ: 80303780
CK: 2852 DT: 05/24/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-11-11
Pay to the order of: 250.00
\$ 250.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2853

AMT: 250.00 SEQ: 60400280
CK: 2853 DT: 05/09/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-19-11
Pay to the order of: 700.00
\$ 700.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2854

AMT: 700.00 SEQ: 80302120
CK: 2854 DT: 05/19/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-25-11
Pay to the order of: 100.00
\$ 100.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2855

AMT: 100.00 SEQ: 60602080
CK: 2855 DT: 05/25/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-11-11
Pay to the order of: 200.00
\$ 200.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2856

AMT: 200.00 SEQ: 80304260
CK: 2856 DT: 05/24/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-11-11
Pay to the order of: 30.00
\$ 30.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2857

AMT: 30.00 SEQ: 80304100
CK: 2857 DT: 05/24/11 ST: Paid

Brandon W Phelps for
For State Representative
PO Box 401
Harrington, DE 12946
Date: 5-11-11
Pay to the order of: 85.00
\$ 85.00
Farmers State Bank
Harrington, DE 12946
CK: 2505517 2858

AMT: 85.00 SEQ: 80200040
CK: 2858 DT: 05/20/11 ST: Paid

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 AM 090

Friends of George A Cardenas 17290

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquent Filing
A Schedule A-1 for the 1st Quarter of 2011

This Committee received five \$1,000 contributions, three \$1,250 contributions, five \$1,500 contributions, one \$1,950 contribution, six \$2,500 contributions and one \$3,500 contribution on 1/24/11 and reported all of these contributions on a Schedule A-1 received by the Board on 2/1/11, 4 days late. In addition, this committee had previously been assessed a \$50 civil penalty (not appealed, paid) for delinquent filing the June 2003 Semi-Annual Report; a \$1,000 civil penalty (not appealed, reduced, paid) for delinquent filing a Schedule A-1 for the 2003 Consolidated Primary; a \$1,000 civil penalty (not appealed, reduced, paid) for delinquent filing a Schedule A-1 for the 2003 Consolidated Primary; a \$700 civil penalty (appealed, reduced, paid) for delinquent filing the December 2003 Semi-Annual Report; a \$1,800 civil penalty (not appealed, paid) for delinquent filing the June 2004 Semi-Annual Report; and a \$4,300 civil penalty (not appealed, stayed, expired) for delinquent filing the December 2008 Semi-Annual Report. The total assessment is \$18,350.

The respondent did not appear for the September 1, 2011 appeal hearing. The hearing officer attempted to contact the respondent on September 21, 2011 and left a telephone message for Carlos Cardenas, the treasurer of the Committee.

The Respondent did not appear at the appeal hearing and I have not talked to nor have I heard from them regarding this appeal. I am basing my recommendation on the information the committee supplied on the appeal affidavit that they submitted to the State Board of Elections.

Carlos Cardenas, the treasurer of the Committee, contacted the State Board of Elections on 1/26/11 by email indicating that he received an error in the IDIS program during the migration progress from IDIS 1.2 to IDIS 2.0. I checked the IDIS Service Requests log for that day and a ticket was issued for this problem on that day. Carlos Cardenas was contacted and the problem was ultimately resolved and the Committee filed a Schedule A-1 on 2/1/11. The contributions were reported as being received on 1/24/11 and the Committee contacted the Board on the day the Schedule A-1 would have been required to have been filed. The Committee could not complete the migration process and this prevented them from being able to file the required Schedule A-1. In order to be consistent with previous Board rulings where an electronic filing defense is raised, and since this Committee has not previously used an electronic filing

defense, I recommend the appeal be granted. (As of 6/30/11, this committee reported a funds available balance of \$42,813.79.)

A handwritten signature in cursive script, reading "Andy Nauman".

Andy Nauman - Hearing Officer
September 28, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Friends of George A Cardenas
George A Cardenas
2107 S Marshall Blvd
Chicago, IL 60623

ID# 17290

Dear Friends of George A Cardenas:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
7-D Construction	1/24/2011	\$1250	\$2500	2/1/2011	4
CACV	1/24/2011	\$750	\$1500	2/1/2011	4
Chicago Indoor Sports	1/24/2011	\$1250	\$2500	2/1/2011	4
Courtesy Metals Com	1/24/2011	\$500	\$1000	2/1/2011	4
Imperial Realty Co Mtg for Klairmont Ent	1/24/2011	\$500	\$1000	2/1/2011	4
Kedzie Pawn Shop/Cermak Pawn & Jewelry	1/24/2011	\$500	\$1000	2/1/2011	4
Alfred Klairmont	1/24/2011	\$750	\$1500	2/1/2011	4
Lindahl Brothers	1/24/2011	\$500	\$1000	2/1/2011	4
Edward McMahon	1/24/2011	\$1250	\$2500	2/1/2011	4
Pan American Bank	1/24/2011	\$750	\$1500	2/1/2011	4
PLS Financial Services	1/24/2011	\$750	\$1500	2/1/2011	4
Power Cartage	1/24/2011	\$750	\$1500	2/1/2011	4
Quality Truck & Trailer Repair	1/24/2011	\$500	\$1000	2/1/2011	4
Sanchez Construction	1/24/2011	\$1250	\$2500	2/1/2011	4

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Sanchez Paving	1/24/2011	\$625	\$1250	2/1/2011	4
T&B Lmt Partnership	1/24/2011	\$625	\$1250	2/1/2011	4
Tortilleria Atotonilco	1/24/2011	\$1250	\$2500	2/1/2011	4
Western Warehouse & Container Co	1/24/2011	\$625	\$1250	2/1/2011	4
AFSCME IL Council 31 PAC	1/24/2011	\$1250	\$2500	2/1/2011	4
Chicago Latino Public Affairs Cmte	1/24/2011	\$975	\$1950	2/1/2011	4
Gutierrez for Congress	1/24/2011	\$1750	\$3500	2/1/2011	4

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$18475 for delinquent filing Schedule A-1 reports. This total ***does not*** reflect any previously assessed fines.

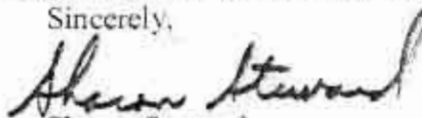
Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$18478, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543

Sincerely,



Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

CHICAGO

11 JUL 29 PM 12:12

STATE BOARD OF ELECTIONS

State of Illinois)
County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF,
ILLINOIS STATE BOARD OF ELECTIONS,
Complainant
Vs.
Friends of George A Cardenas
Respondent(s)

Case No. 11 AM090

APPEAL AFFIDAVIT

I, Carlos Cardenas, the Treasurer of the
(Name) (Chairman/Treasurer)
Friends of George A Cardenas
(Name of the Committee)

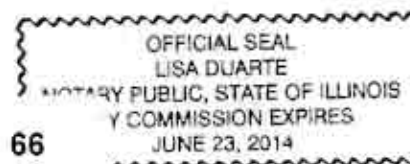
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

On 1/26/11, I attempted to electronically file the requisite disclosure report (Schedule A-1) for the contributions received on 1/24/11. I encountered a software error message and was unable to submit the report. I immediately contacted John Levin with the Illinois State Board of Elections seeking assistance with the electronic filing software. Mr. Levin stated that a technical representative from the Board would be in contact to resolve the matter. He further instructed me to file via facsimile only after "the five day grace period lapsed." Mr. Levin's instructions were erroneous, evidenced by the instant violation. The disclosure was due within two days of receipt due to the municipal election 2/22/11. On 1/31/11, I was still experiencing technical difficulties with the filing software and had not been contacted by a technical representative. I submitted a Schedule A-1 via facsimile attached by a letter explaining the persistent ongoing software issues (letter attached).

The violation was inadvertent and all fines should be waived because (1) I attempted to file the Schedule A-1 within the reporting period and was prevented due to computer error and (2) I attempted in good faith to resolve the technical difficulties preventing the filing, but was misinformed by a Board representative.

Signed and Sworn to by:
Lisa Duarte
before me this 28 Day of
July, 2011
Notary Public

Carlos P. Cardenas
(Signature of Chairman/Treasurer)



CHICAGO

11 FEB -1 PM 8 14

STATE BOARD OF ELECTIONS

Via Facsimile:

(312) 814-6185

January 31, 2011

STATE BOARD OF ELECTIONS
JAMES R. THOMPSON CENTER
100 W RANDOLPH ST, STE 14-100
CHICAGO, IL 60601-3232

Re: Friends of George A Cardenas (L 11456)
Schedule A-1 filing

The committee is submitting this Schedule A-1 filing via facsimile as the committee is experiencing problems upgrading to the new IDIS v2 filing application software. The committee was able to download the upgrade but has been unable to migrate the IDIS files. Please reference the attached email communication dated January 26, 2011 directed to Mr. John Levin informing him of the error/issue.

The committee has therefore, been unable to electronically file the Schedule A-1 for contributions received 1/24/2011. Mr. Levin informed committee that a technical representative from SBOE would be in contact to resolve the matter and as such to hold off on facsimile filing until lapse of the 5-business days grace period. The committee has yet to resolve the technical issue and as such is submitting the Schedule A-1 filing via facsimile, herein attached.

The committee will continue to attempt to resolve the technical issue at the earliest possible convenience, in anticipation of future campaign disclosure filings.

Kindest regards,


Carlos R Cardenas

Treasurer, Friends of George A Cardenas
773 580 8203

From: "Carlos R. Cardenas" <ccardenas@sbcglobal.net>
 Subject: Error in migrating IDIS file to IDIS v2 - need to file A1s
 Date: January 26, 2011, 1:11:50 PM CST
 To: jevin@elections.il.gov
 Cc: George Cardenas <georgeacardenas@sbcglobal.net>, Carlos Cardenas <carlos.cardenas@firstnet.com>
 2 Attachments: 1.0 MB



John - please see error on my attempt to migrate IDIS files to the new IDIS v2 application. I have included both a screen print of the migration error and a screen print of the IDIS old system reports tab. I added a filed on date to all the reports, even though the semi annual 6/30/11 is not currently due, not sure if that might be the cause.

Any help is much appreciated.

Carlos Cardenas
 773 580 8203 mobile

ID	Name	Date	Status	Location	Description
1-1	1-1-1	1-1-1	1-1-1	1-1-1	1-1-1
1-2	1-2-1	1-2-1	1-2-1	1-2-1	1-2-1
1-3	1-3-1	1-3-1	1-3-1	1-3-1	1-3-1
1-4	1-4-1	1-4-1	1-4-1	1-4-1	1-4-1
1-5	1-5-1	1-5-1	1-5-1	1-5-1	1-5-1
1-6	1-6-1	1-6-1	1-6-1	1-6-1	1-6-1
1-7	1-7-1	1-7-1	1-7-1	1-7-1	1-7-1
1-8	1-8-1	1-8-1	1-8-1	1-8-1	1-8-1
1-9	1-9-1	1-9-1	1-9-1	1-9-1	1-9-1
1-10	1-10-1	1-10-1	1-10-1	1-10-1	1-10-1



SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS
OF
\$500 OR MORE

1/5

Full name and complete mailing address of Political Committee

Friends of George A. Cardenas

2829 W Cermak Rd

Chicago IL 60623-3513

THIS FORM MAY BE
TRANSMITTED BY FAX.

FOR OFFICE USE ONLY

IDENTIFICATION NO.

17290-12

INSTRUCTIONS

ANY CONTRIBUTION IN AN AGGREGATE OF \$500.00 OR MORE RECEIVED IN THE THIRTY DAY PERIOD PRECEDING ANY ELECTION MUST
BE REPORTED WITHIN TWO BUSINESS DAYS OF RECEIPT.

CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULAR CAMPAIGN CONTRIBUTIONS REPORT - FORM S-2 - SCHEDULE A.

RECEIVED FROM:	RECEIPT TYPE	DATE	AMOUNT
FULL NAME, MAILING ADDRESS, AND ZIP CODE			
7-D Construction Co 3924 W 62nd Place Chicago IL 60629	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	2500.00
CACV LLC 449 W 37th St Chicago IL 60609	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1500.00
Chicago Indoor Sports LLC 3000 S Ashland Ave Chicago IL 60609	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	2500.00
Courtesy Metals Com Inc 3711 S California Ave Chicago IL 60632	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1000.00
Imperial Realty Company Mgt for Kaimont Ent Inc 4747 W Peterson Ave Chicago IL 60646	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1000.00

Carlos Cardenas
SIGNATURE OF TREASURER OR CANDIDATE

01/26/2011
DATE

THE ILLINOIS BOARD OF ELECTIONS REQUESTS THIS DISCLOSURE OF INFORMATION THAT MUST BE STAFFED IF YOU QUALIFY AS A POLITICAL COMMITTEE, AS OUTLINED UNDER PUBLIC ACT 76-1185. DISCLOSURE
OF THIS INFORMATION IS REQUIRED FOR JURY TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000.00. THIS FORM IS IN COMPLIANCE WITH THE PUBLIC MANAGEMENT PROGRAM ACT.

STATE POLITICAL COMMITTEE
RETURN TO:
STAFF BOARD OF ELECTIONS
1020 SOUTH SPRING STREET
PO BOX 4102
SPRINGFIELD IL 62708

LOCAL POLITICAL COMMITTEES AND
STATE AND LOCAL POLITICAL COMMITTEES
RETURN ORIGINAL TO:
STAFF BOARD OF ELECTIONS
AND COPY TO
APPROPRIATE COUNTY CLERK



SCHEDULE A-1

REPORT OF CAMPAIGN CONTRIBUTIONS
OF
\$500 OR MORE

215

Full name and complete mailing address of Political Committee

Friends of George A. Cardenas

2829 W Cermak Rd

Chicago IL 60623-3513

THIS FORM MAY BE
TRANSMITTED BY FAX.

FOR OFFICE USE ONLY

IDENTIFICATION NO.

17290-12

INSTRUCTIONS

ANY CONTRIBUTION IN AN AGGREGATE OF \$500.00 OR MORE RECEIVED IN THE THIRTY DAY PERIOD PRECEDING ANY ELECTION MUST BE REPORTED WITHIN TWO BUSINESS DAYS OF RECEIPT.

CONTRIBUTIONS MUST ALSO BE REPORTED ON THE NEXT REGULAR CAMPAIGN CONTRIBUTIONS REPORT - FORM G-2 - SCHEDULE A.

RECEIVED FROM: FULL NAME, MAILING ADDRESS, AND ZIP CODE	RECEIPT TYPE	DATE	AMOUNT
Kedzie Pawn Shop Inc DBA Cermak Pawn & Jewelry 2811 W Cermak Rd Chicago IL 60623	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1000.00
Alfred Klammert 253 Park Ave Highland Park IL 60030	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1500.00
Lindahl Brothers Inc 522 East Green Street Bensenville IL 60106	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1000.00
Edward McMahon 9999 Andersen Avenue Chicago Ridge IL 60415	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	2500.00
Pan American Bank 2627 W Cermak Rd Chicago IL 60608	<input checked="" type="checkbox"/> Individual Monetary Contributions <input type="checkbox"/> Transfers In <input type="checkbox"/> Loans Received <input type="checkbox"/> Other Receipts (No In-kind) <input type="checkbox"/> In-kind Contributions	01/24/2011	1500.00

Carlos Cardenas
SIGNATURE OF TREASURER OR CANDIDATE

01/26/2011
DATE

THE ILLINOIS BOARD OF ELECTIONS REQUESTS THE SIGNATURE OF THE DONOR. THE SIGNATURE OF THE DONOR IS REQUIRED FOR ALL CONTRIBUTIONS TO A POLITICAL COMMITTEE AS OUTLINED UNDER PUBLIC ACT 74-1147. ENCLOSURE OF THIS INFORMATION IS REQUIRED. FAILURE TO PROVIDE ANY INFORMATION COULD RESULT IN A FINE UP TO \$1,000. THIS FORM IS IN COMPLIANCE WITH THE ELECTIONS MAINTENANCE PROGRAM ACT.

STATE POLITICAL COMMITTEE
RETURN TO:
STATE BOARD OF ELECTIONS
1000 SOUTH SPRING STREET
PO BOX 4497
SPRINGFIELD IL 62716

LOCAL POLITICAL COMMITTEES AND
STATE AND LOCAL POLITICAL COMMITTEES
RETURN ORIGINAL TO:
STATE BOARD OF ELECTIONS
AND COPY TO:
APPROPRIATE COUNTY CLERK

THIS FORM MAY BE REPRODUCED

Printed on Recycled Paper

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

11 AM 092

St Charles Education Assn-IPACE 17812

Respondent

REPORT OF HEARING EXAMINER

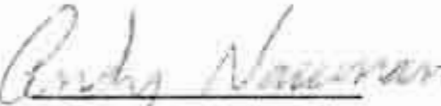
Appeal of Civil Penalty Assessment for Failing to File
A Schedule A-1 for 1st Quarter of 2011

This committee received one \$4,232 contribution on 1/31/11 and failed to file this contribution on a Schedule A-1. Additionally, the Committee had previously been assessed a \$100 civil penalty (not appealed, stayed, expired) for delinquent filing the December 2006 Semi-Annual Report. The total assessment is \$2,120.

The Respondent was represented by attorney James P. Nally at the September 1 appeal hearing. Also in attendance was Pam Turriff, the chairman of the Committee, and Justin Dohm, the treasurer of the Committee.

Mr. Nally indicated that the St. Charles Education Assn (SCEA) is a not-for-profit labor union, and a local affiliate of the Illinois Education Assn. (IEA). Each member of the SCEA contributes \$20 to the political action committee of the IEA each year (\$4 per person each period). The contributions are made by payroll deductions and are transmitted to the IEA's political action committee IPACE. IPACE then holds the money until the local affiliate asks for a rebate. The local affiliate can ask for a rebate based on the contributions of their members up to a maximum of \$10 per member. IPACE then writes a check for the requested per member amount times the number of local association members who contributed to IPACE in the most recent year. These funds then go to the local association's PAC and are used for local political purposes and this is where the \$4,232 contribution came from. The Committee introduced a print out of emails that were sent back and forth between another committee (Indian Prairie Education Assn PAC for Education) and another hearing officer from the State Board of Elections (attached). The emails were in relation to a similar situation between a rebate from IPACE and another local affiliate. The Committee also introduced documentation of how the contribution came to be (attached). Mr. Nally indicated that the Board granted the appeal in relation to the Indian Prairie Education Assn PAC for Education and these circumstances are basically identical. IPACE acted as a conduit in both transactions and the Committee appropriately itemized the contribution as required. The Committee requests that the appeal be granted.

The Committee supplied a copy of the rebate voucher (attached) and this indicates that IPACE would have been acting as a conduit when they made out the check for \$4,232 to the Committee. Illinois disclosure law allows a labor organization to act as a conduit to deliver dues payments and to report these normally not-itemized contributions in the aggregate. Therefore, I recommend the appeal be granted. Additionally, to prevent a similar situation in the future, the Committee should be advised to report similar rebates in such a way as to make it clear that the money represents a rebate or a return from IPACE. (As of 6/30/11, this Committee reported a funds available balance of \$10,399.08.)


Andy Nauman – Hearing Officer
September 19, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBE

Complainant(s),

Vs.

Case No. 11AM092

St. Charles Education Assn. - SBE

Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S) or ☒ RESPONDENT(S)

(Insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

James P Nally

Address:

855 Michigan #350

City/State/ZIP

Chicago IL 60603

Telephone:

312 422 5560

FAX No.:

312 346 7999

EMAIL:

jpnally@att.net

Will you accept service of documents via FAX transmissions?

Check one: ☒ Yes ☐ No

J. P. Nally

Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

St Charles Education Assn-IPACE
Pam Turiff
6N308 E Whitmore Circle
St Charles, IL 60174

ID# 17812

Dear St Charles Education Assn-IPACE:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

Contributed By	Date of Contribution	Fine Assessed	Amount of Contribution	Date A-1 Received	Days Late
IL PAC for Education	1/31/2011	\$2120	\$4332	*	41

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$2120 for delinquent filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$212, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)

STATE BOARD OF ELECTIONS

County of KANE)

11 JUL 25 AM 10:35

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11 AM 092

ST. CHARLES EDUCATION ASSN -)

Respondent(s). IPACE)

APPEAL AFFIDAVIT

I, Pamela M. Turriff, the President of the
(Name) (Chairman/Treasurer)

ST. CHARLES EDUCATION ASSN. - IPACE
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

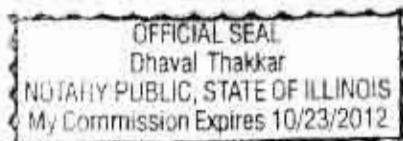
PLEASE SEE ATTACHED

Signed and Sworn to by:

PAMELA TURRIFF
before me this 20 Day of
JULY, 2011

[Signature]
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



The St. Charles Education Association (SCEA), a not-for-profit labor union, is a local affiliate of the Illinois Education Association (IEA). Each member of the SCEA contributes \$20.00 to the political action committee of the IEA each year. The contributions are made by payroll deduction and are transmitted to the IEA's political action committee (IPACE).

Local affiliates of the IEA have the right to request a "rebate" of the contributions of their members. When the rebate is requested, IPACE writes a check for \$4.00 times the number of local association members who contributed to IPACE in the most recent year. These funds go into the local association's PAC and are used for local political purposes.

In January of 2011, the SCEA requested its rebate and IPACE sent a check for \$4.00 times 1,058, for a total of \$4,232.00. The SCEA PAC deposited the check and in April reported it as an itemized transfer in on its quarterly D-2 report.

The SCEA's PAC received a notice from the State Board of Elections stating that it should have filed Schedule A-1 to report the receipt, since it was more than \$1,000.00. Note that the notice lists an amount of \$4,332.00, which is incorrect.

Based on further research, we feel that IPACE was acting as a conduit for the transmittal of 1,058 individual contributions in the amount of \$4.00 each, and therefore we should not have to file Schedule A-1 to report them. We request that the fine assessed on the notice be reversed. If we should report similar receipts differently in the future, we would appreciate your advice on that. Thank you.



ILLINOIS POLITICAL ACTION COMMITTEE FOR
EDUCATION

REBATE VOUCHER

2010 - 2011

Saint Charles Educ. Assn.
Pam Turriff, Pres
901 S. Peck Rd.

ID: 87
ACCOUNT #: 6600
BPID: 5303

St. Charles, IL 60175

		AMOUNT
COUNT:	1061	
09-10 REFUNDS:	-3	
REMAINDER:	1058	
	X \$4	
LEVEL I AMOUNT:		\$4,232.00
LEVEL II AMOUNT:		
TOTAL:		\$4,232.00

Donna P.

1/10/2011

APPROVED BY:

PREPARED BY:

VOUCHER DATE:

194/87
CHECK #:

CHECK DATE:

APPROVED BY:

DATE MAILED:

BY/HOW:

RECEIVED
JAN 11 2011
ACCOUNTING

January 6, 2011

To: IEA Government Relations

From: Pamela Turriff, President, Saint Charles Education Association
Justin Dohm, Treasurer, Saint Charles Education Association

Regarding: IPACE Rebate

This letter is a formal request from the St. Charles Education Association to receive our local's IPACE rebate. Please mail the rebate check to the following address:

Pam Turriff
901 S. Peck Rd.
St. Charles, IL 60175

Sincerely,

Pamela Turriff, President, Saint Charles Education Association

Justin Dohm, Treasurer, Saint Charles Education Association

Source Code: 5303
Region: 53
Count As Of: 1061 (as of 1/10/11)
Initials: D.T.
3 refunds in 09-10
Seen - ledgerist

James P Nally

From: Welch, Randy [Randy.Welch@ieane.org]
Sent: Tuesday, August 23, 2011 9:39 AM
To: James P Nally (jpnlaw@att.net)
Cc: Reed, Jim; Soglin, Audrey; Klickna, Cinda; Roth, Mitch
Subject: FW: Indian Prairie Education Assn PAC appeal

Here's the other response I mentioned.

-----Original Message-----

From: Newman, Tom [mailto:TNewman@elections.il.gov]
Sent: Friday, August 05, 2011 11:10 AM
To: Welch, Randy
Subject: RE: Indian Prairie Education Assn PAC appeal

The way the process works is: the hearing officer for your appeal makes a recommendation, which is also reviewed by our general counsel. You will receive a copy of the recommendation when the appeal goes on the Board agenda, so typically a week or so before the Board meeting you will be advised of the recommendation. Ultimately, the Board decides whether to grant the appeal. You do have the opportunity to address the Board if you choose.

Tom

-----Original Message-----

From: Welch, Randy [mailto:Randy.Welch@ieane.org]
Sent: Friday, August 05, 2011 10:21 AM
To: Newman, Tom
Cc: valdranias@aol.com; Reed, Jim; Proefrock, Donna; Sharrard, Mark; Baston, Cynthia; Fox, Linda
Subject: RE: Indian Prairie Education Assn PAC appeal

Thanks for taking care of this so quickly. Just so we are sure that we understand the process, is the Indian Prairie EA going to receive some sort of written response to its appeal, or is the matter officially resolved?

Also, at least two of our other local associations (Naperville EA and St. Charles EA) have filed appeals on this issue. They filed after Indian Prairie so they are probably in the pipeline somewhere. Will they be handled the same way as Indian Prairie?

Thanks again.

-----Original Message-----

From: Newman, Tom [mailto:TNewman@elections.il.gov]
Sent: Tuesday, August 02, 2011 9:17 AM
To: Welch, Randy
Subject: RE: Indian Prairie Education Assn PAC appeal

Thanks, this is the information I needed. For future reference, receipts such as this should be reported under itemized individual contributions, but make sure the "name" of the contributor makes it clear that it is a conduit payment or rebate.

Tom Newman
State Board of Elections
217-782-1558

-----Original Message-----

From: Welch, Randy [mailto:Randy.Welch@ieane.org]
Sent: Monday, August 01, 2011 6:21 PM
To: Newman, Tom
Cc: valdranias@aol.com; Reed, Jim; Proefrock, Donna; Sharrard, Mark; Baston, Cynthia
Subject: Indian Prairie Education Assn PAC appeal

Mr. Newman: Val asked me to respond to your request for information since she is going to be out of town. I hope this is sufficient; if not, please let me know what else I can provide.

The Indian Prairie Education Association (IPEA), a not-for-profit labor union, is a local affiliate of the Illinois Education Association (IEA). Each member of the IPEA contributes \$20.00 to the political action committee of the IEA each year. The contributions are made by payroll deduction and are transmitted to the IEA's political action committee (IPACE).

Local affiliates of the IEA have the right to request a "rebate" of the contributions of their members. The language in the IPACE rules of operation that govern this is as follows:

Those funds received by IPACE through payroll deduction and/or through solicitation with local PACE units shall be properly accounted for and the local PACE unit share, an amount mutually agreed upon, up to 50 percent, but no less than 20%, of what is contributed from that local PACE unit, shall be returned to it upon written request.

So IEA local affiliates can request amounts from \$4.00 per member (20% of \$20.00) up to \$10.00 per member (50%). In Indian Prairie's case, they requested that \$4.00 of each of their members' donations be returned to it. The request and computation of this are attached. Unfortunately, there is a \$4.00 computation error in the payment.

When the check was received, the IPEA PAC deposited it and reported it as an itemized transfer in on its quarterly D-2 report.

Based on further research, we feel that IPACE was acting as a conduit for the transmittal of 2,121 individual contributions in the amount of \$4.00 each, and therefore the IPEA PAC should not have to file Schedule A-1 to report them. In retrospect, the confusion was probably due to the way that the receipt was reported on the D-2. If we should report similar receipts differently in the future, we would appreciate your advice on that. Thank you.

-----Original Message-----

From: Newman, Tom <TNewman@elections.il.gov>
To: 'valdranias@aol.com' <valdranias@aol.com>
Sent: Fri, Jul 29, 2011 1:09 pm
Subject: Indian Prairie Education Assn PAC appeal

Val,

I am the hearing officer reviewing your committee's appeal of a civil penalty assessment for failure to file a Schedule A-1. In your appeal affidavit, you state that the \$8488 contribution from IPACE was a rebate of member dues. In cases such as this we like to get some documentation to support the claim, so I'm wondering if you have any records in regards to this rebate. If so, please provide me with a copy at your earliest convenience - either by mail, fax (217-782-5959) or email to tnewman@elections.il.gov <<mailto:tnewman@elections.il.gov>>.

If you have any questions or if I can be of any assistance please contact me at (217) 782-1558. Thank you for your prompt attention to this matter.

Tom Newman
State Board of Elections

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs

11 MA 041

Supporters of Jack D Franks (ID 19464)
Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Failure to File
Schedule A-1 Reports for the 1st Quarter of 2011

The Committee received two contribution of \$1,000 on 2/21/11 and failed to file Schedule A-1 Reports, resulting in a civil penalty assessment of \$1,000.

Attorney Michael Kasper appeared on August 9, 2011 for the appeal hearing. The Treasurer, Linda Dikun appeared by teleconference.

The assessed contributions appeared on the 1st Quarterly Report and identified by Board Staff as having been required to be filed on a Schedule A-1 Report; Contribution 1 - \$1,000 from Doria Muno and Contribution 2 - \$1,000 from Keith and Jodi Hebeisen.


Ms. Dikun offered the following defense on Contribution 1: \$1,000 from Doria Muno:

Ms. Dikun stated on 2/21/11 the Committee received a \$1,000 check from the account of Richard Melman/Real Estate/Thomas Muno POA signed by Doria Muno. On 2/22/11, Dikun filed a timely Schedule A-1 showing the contribution from Richard Melman. In April, when she electronically prepared the Committee's 1st Quarterly Report, she assumed the contribution should be reported from the signatory on the check. Dikun filed the Quarterly Report changing the contribution from Melman to Doria Muno. The Schedule A-1 and Quarterly Reports were inconsistent. The A-1 listed the contribution from Richard Melman and the Quarterly Report listed the contribution from Doria Muno. To correct the inconsistency, Dikun filed an amended 2011 1st Quarterly Report on 6/9/11 reflecting the contribution was received from Richard Melman.

Ms. Dikun offered the following defense on Contribution 2: \$1,000 from Keith and Jodi Hebeisen:

Ms. Dikun stated the Committee received a \$1,000 contribution from Keith and Jodi Hebeisen. On 2/2/11, Dikun electronically prepared a Schedule A-1 for this contribution. As she entered the contributor's name, the IDIS program inadvertently selected Hebron Disposal Service Inc in error. Hebron Disposal Service Inc is the entity adjacent to Hebeisen in the database. The Schedule A-1 filed on 2/22/11 mistakenly listed Hebron Disposal Service. In April, Dikun prepared the Quarterly Report and noticed Hebron Disposal Service listed the database in error and corrected the typing error. The Schedule A-1 lists the contribution from Hebron Disposal Service and the Quarterly lists it from Keith and Jodi Hebeisen. An A-1 was filed timely however the typing error was not found until April.

Attorney Kasper produced a copy of the check and deposit slip (Respondent Exhibit B and C) for the Melman and Hebeisen contributions which is consistent with Ms. Dikun's defense. I recommend the appeal be granted. I also recommend the Committee notify Board Staff immediately should they find inconsistencies between Schedule A-1 and Quarterly Reports. Explaining discrepancies as they are detected may prevent unnecessary hearings in the future.


Tara Cachur - Hearing Officer
August 31, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBF
Complainant(s)

v.

SUPPORTERS OF JACIE FRANKS
Respondent(s)

No: 11 AM 041

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S)

or

☒ RESPONDENT(S)

(insert name)

Check one: ☐ Attorney ☐ Pro Se

Name: MICHAEL KASPER

Address: 222 N WISCONSIN

City/State/Zip: CHICAGO IL 60601

Telephone: 312 704 2252

Fax No.: 312 368 4944

Email address: MIKASPER63@MAC.COM

Will you accept service of documents via FAX transmission? Check one: ☐ Yes ☐ No


Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 3, 2011

11 Am041
BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Supporters of Jack D Franks
PO Box 274
Woodstock, IL 60098-0274

ID# 19464

Dear Supporters of Jack D Franks:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Doria Muno	2/21/11	\$1000	\$1000	*	n/a
Keith & Jodi Hebeisen	2/21/11	\$1000	\$1000	*	n/a

The committee is fined a **total** of \$2000 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100, (5% of the total amount of contribution(s) reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

11 JUN 13 PM 4:10

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:
ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

vs.

No. 11 A.M. 041

Supporters of Dan D. FRANKS
Respondent(s).

APPEAL AFFIDAVIT

I, Michael Kasper, the Chairman of the
(Name) (Chairman/Treasurer)

Supporter of Dan D. FRANKS
(Name of the Committee)

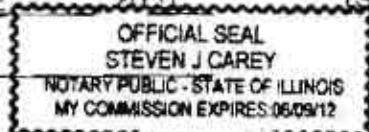
Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

*The filings contained inaccurate
information re: dates and/or
amounts or contributions*

Subscribed and Sworn to Before me

This 13th Day Of June, 2011

Steven J. Carey



[Signature]
(Signature of Chairman/Treasurer)

Contributed By: Doris Muno

The A-1 was filed for this \$1,000 donation under the name of Richard Melman on 2/21/11. Please see exhibit A. The checking account is listed as, Richard Melman/Real Estate Account/Thomas Muno POA. The check # 5947 was signed by Doris Muno. Please see exhibit B. Exhibit C is a copy of the bank deposit slip showing all the donations from the combined A-1 filed 2/21/11(exhibit A).

I have corrected the entry in IDIS as Richard Melman and filed an amended D-2 on 6/9/11

Contributed By: Keith & Jodi Hebeisen

**attached
enclosed.*

This was a typing error on my initial entry into IDIS. I incorrectly entered this donation as Hebron Disposal Service Inc. It is right next to "Hebeisen" on my drop down menu in IDIS. An A-1 was filed on 2/21/11 under Hebron Disposal (please see exhibit D) at the same time several A-1's were filed and I did not notice my error. In reviewing the quarterly report prior to submitting it on April 15th 2011, I noticed the error and corrected the entry in IDIS. Please see exhibit E illustrating the check # 11468 received from Keith and Jodi Hebeisen and exhibit F showing the total deposit for the A-1's filed together on 2/21/11. According to the ISBE, I cannot correct the incorrect A-1 now that the quarterly report has been filed. It is correctly noted on the D-2 filed 4/15/11 so no correction is needed.

I understand how the errors occurred and will do my best to be accurate with all future reporting. I am sorry for any inconvenience this has caused. My intent has been and will continue to be to provide the Illinois State Board of Elections and Supporters of Jack D Franks with accurate and timely reports.

Linda L. Dikun

KEITH A. HEBEISEN 02-87
JODI B. HEBEISEN
2828 WOODMERE CT.
NORTHBROOK, IL 60062

2-15
710

11468

DATE

2/21/11

PAY TO THE
ORDER OF

Supporters of Jack D. Franks

\$ 1,000.00

One Thousand and no/100

DOLLARS

THE NORTHERN TRUST COMPANY

NORTHERN TRUST ANCHOR ACCOUNT



Northern Trust

MEMO

Keith Hebeisen

⑆071000152⑆ 0000586447⑈ 11468

Yes, I'll be there!
Number Attending: _____
Enclosed is my contribution of:
☐ \$5,000 ☐ \$2,500
☐ \$1,000 ☐ \$250

☐ Sorry, I cannot attend,
but enclosed is my
contribution of \$ 1,000

Keith Hebeisen
2828 Woodmere Ct.
Northbrook IL 60062
City State Zip
312 899 9090 312 345-1561
Phone Fax
KAW@Cliffordlaw.com
Email

FSLAPPE@AOL 120 W. MADISON, CHIC. IL 60602
(312) 444-1122

FRED LAPPE

LAKESIDE BANK
WWW.LAKESIDEBANK.COM
2-150-710

2/21/2011

PAY TO THE
ORDER OF

Supporters of Jack D. Franks

\$ 1,000.00

One Thousand Dollars Only*****

DOLLARS

MEMO

Ed Lappe
AUTHORIZED SIGNATURE

⑆00761⑆ ⑆071001504⑆ 417560900⑈9⑆

RICHARD MELMAN 08-87 5947
REAL ESTATE ACCOUNT
THOMAS MUNO POA
5419 N SHERIDAN RD
CHICAGO IL 60640-1964
Date 2/21/11
Pay to the Order of Supporters of Jack D. Franks \$ 1,000.00
One Thousand and no/100 Dollars
Bank of America
Private Bank
86
Mundo

Exhibit B

DEPOSIT TICKET

SUPPORTERS OF JACK D. FRANKS
P.O. BOX 274
WOODSTOCK, IL 60098

DATE 2/22/11
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

SIGN HERE FOR CASH RECEIVED IF REQUIRED


CASTLE BANK
www.castlebank.com

⑆071902629⑆ 0000520209⑈

IV
70-262/719
0000520209

SUB TOTAL

LESS CASH
RECEIVED

\$

10,500.00

10,500.00

10,500.00

600

pg 1 of 2
Exhibit C

CURRENCY COUNT - FOR FINANCIAL INSTITUTION USE ONLY			
	X	100	
	IV	50	
	K	20	
	K	10	
	V	5	
	K	2	
	K	1	
TOTAL		\$	

CHECKS
LIST SINGLE

DOLLARS

CENTS

AT & T	1000.	X
AT & T	1000.	X
Beowulf	1000.	X
HEGGER	1000.	X
LATTE	1000.	X
Melman	1000.	X
Reu Blom	1000.	X
Bank of Am	2500.	X
Wells Fargo	1000.	X

10,500.

Exhibit C

Pg 2 of 2

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 JQ 237

Citizens for Potkonjak for Circuit Judge
Respondent

ID# 19534

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on August 8, 2011, 16 days late, resulting in a civil penalty assessment of \$1,200. Additionally, the Committee had previously been assessed a \$100 civil penalty (appealed, appeal denied, paid) for delinquently filing the June 2010 Semi-Annual Report, and a \$25 civil penalty (not appealed, paid) for delinquently filing the June 2009 Semi-Annual Report. The total assessment is \$1,200.

Theodore Potkonjak, the Candidate of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Potkonjak states that a combination of factors led to the late filing. He says the Committee usually receives assistance with electronic filing from a friend, since neither the Candidate nor the Treasurer are very computer literate. That friend was unavailable at the time the Report was due, and Mr. Potkonjak says he was not able to use a computer at work for the filing, so he had to use his home computer. This created additional problems, because a power outage around the time of the filing deadline shut down his internet service for the week prior to the deadline. Mr. Potkonjak says he was finally able to download the electronic filing software just after midnight on the deadline date, and he thought he had successfully filed the Report at that time. He says after receiving a failure to file notice he again attempted to upload the Report, but needed assistance, including an after-hours phone call to Sharon Steward at the Board, before he was able to successfully file the Report.

Although the Report was ultimately filed three weeks late, I believe the unusual nature of the problems faced by this Committee need to be taken into account. Additionally, in order to be consistent with previous Board rulings where an electronic filing defense is raised, and since this Committee has not previously used such a defense, I recommend the appeal be granted. (As of 6/30/11, this Committee reported a funds available balance of \$2,421.60.)



Tom Newman - Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Potkonjak for Circuit Judge ID# 19534
Donna Burnside
1502 Alexander Ct
Waukegan, IL 60085

Dear Citizens for Potkonjak for Circuit Judge:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 8, 2011, 16 days late. As such, this committee has been assessed a fine of \$1200.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
 County of LAKE)

STATE BOARD OF ELECTIONS
 11 SEP 29 PM 3:57

BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

Case No. 11Q 237

CITIZENS FOR POTKONJAK FOR
 Respondent(s). CIRCUIT JUDGE

APPEAL AFFIDAVIT

I, THEODORE S. POTKONJAK, the CANDIDATE of the
 (Name) (Chairman/Treasurer)

CITIZENS FOR POTKONJAK FOR CIRCUIT JUDGE

(Name of the Comm.)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Neither the Candidate nor Treasurer are very computer literate. Therefore the Treasurer prepares all reports long-hand and then a friend assists us in filing the report via the internet to the Elections Office as she has the software on her computer. That person was unavailable prior to the end of the reporting period. Candidate could not use his work computer to file the information as it is a government computer and his home computer carrier, Comcast was out for the entire week prior to the filing deadline due to severe storms in the area. On the final date for filing, Candidate contacted Sharon at the elections office and advised her of the situation. That night Candidate attempted to download the reporting software on his in-law's computer, I was able to do so but it took hours due to Candidate's computer limitations just after midnight, so it was past the deadline. Candidate then entered the report figures and believed that I had done so successfully. Sometime later we received notice of a failure to file. I contacted Sharon at Elections again and advised her that I had thought that the filing had been successful and that I would again try that evening. I again attempted to file but was experiencing difficulties. Sharon had supplied me with her cell phone number in case there were further problems. At approximately 8 pm, I contacted Sharon and she walked me step by step through procedure until it was successfully filed.

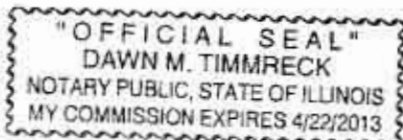
Signed and Sworn to by:

THEODORE S. POTKONJAK
 before me this 29 Day of

SEPTEMBER, 2011

Dawn M. Timmreck
 Notary Public

Theodore S. Potkonjak
 (Signature of Chairman/Treasurer)
 CANDIDATE



STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11 MA 050

Welcome Wal-Mart (ID 22729)
Respondent

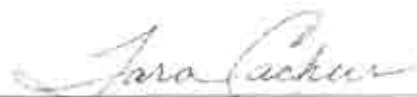
REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for Delinquently
Filing a Schedule A-1 Report

The Committee received one contribution of \$1,500 on 1/11/11 and delinquently filed a Schedule A-1 on 1/20/11, one day late, resulting in a civil penalty assessment of \$75.00.

Katelyn Hanley Semelbauer appeared for the appeal hearing conducted on August 9, 2011.

Ms. Semelbauer stated the committee received a \$1,500 contribution from North Grand Auto Parts on January 11, 2011 and faxed a Schedule A-1 the same day to the number (217) 557-5630. She produced a facsimile transmittal history sheet showing the report was received successfully at 9:33 AM. On January 20, 2011, Ms. Semelbauer reviewed the Board's website and found the Schedule A-1 was not filed. She immediately faxed the report again along with a letter of clarification. The committee filed a final report on April 27, 2011.

I recommend the appeal be granted. The Committee produced the facsimile transmittal proving the report was sent. Ms. Semelbauer also filed a letter of explanation and the Schedule A-1 with the office on January 20, 2010 consistent with her Affidavit and statements made at the hearing.



Tara Cachur - Hearing Officer
August 22, 2011

STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR

Rupert T. Borgsmiller

June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Welcome Wal-Mart ID# 22729

Phil Molfese, Katelyn Hanley
100 N LaSalle, Suite 1616
Chicago, IL 60602-2636

Dear Welcome Wal-Mart:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
North Grand Auto Parts	1/11/11	\$1500	\$1500	1/20/11	1

The committee is fined a **total** of \$1500 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$75. (5% of the total amount of contribution(s) reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be *stayed* as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report of Contributions of \$1000 or more.

I also have been reported on a Schedule A-1 Report of Campaign

State of Illinois)
)
County of _____)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;
ILLINOIS STATE BOARD OF ELECTIONS.

Complainant

Vs.

Case No. 11AM050

Welcome Wal-Mart
22629 Respondent(s).

STATE BOARD OF ELECTIONS

11 JUN - 8 PM 1:41

CHICAGO

APPEAL AFFIDAVIT

I, Katelyn Hanley Semelbauer, the Treasurer of the
(Name) (Chairman/Treasurer)

Welcome Wal-Mart
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

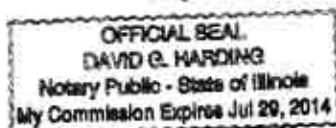
The A1 in question was filed via fax on the day that the check
was received, January 11, 2011. We can provide a phone bill and a fax
confirmation sheet showing that the fax was successfully
sent on January, 11, 2011 to the fax number listed by the
State Board of Elections on the A1 form.

Signed and Sworn to by:
KATELYN HANLEY SEMELBAUER

before me this 7th Day of
JUNE, 2011

[Signature]
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



*** ACTIVITY HISTORY ***

01/20/2011 10:24

Lexmark Pro800-Pro900 Series

13125411605

TOTAL PAGES SENT: 1539
TOTAL PAGES RECEIVED: 612

NO.	DATE	START	TIME	S/R	TO/FROM	PAGES SCANNED/SENT RCVD/PRINTED	RESULT
1							OK
2							NO ANSWER
3							NO ANSWER
4							OK
5							CANCELED
6							CANCELED
7							NO ANSWER
8							OK
9							OK
10							OK
11							OK
12							OK
13							OK
14							OK
15							OK
16							OK
17							OK
18							OK
19							BUSY
20							CANCELED
21							
22							
23							
24							
25	01/11/2011	14:12	00:33	Send	★12175575630	1/1	OK
26							OK
27							OK
28							OK
29							OK
30							OK
31							OK
32							OK
33							OK
34							OK
35							OK
36							OK
37							OK
38							OK
39							OK
40							OK

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 AJ 070

PAC 34. of the IBEW Local 34

ID# 22824

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
For Failure to File a Schedule A-1 Report

The Committee received a \$3,000 contribution on 6/13/11 but failed to report it on a Schedule A-1, resulting in a civil penalty assessment of \$1,500.

Michael Everett, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Everett states that the contribution in question was an aggregation of member dues transferred monthly from the union clearing account to the Committee. He says the \$3,000 total is made up of contributions from more than 1,000 union members, averaging less than three dollars a month. Mr. Everett adds that after consulting with Board staff, the Committee has begun adding a description of "Dues" to the contributor name when reporting these funds transfers.

10 ILCS 5/9-8.5(i) states in part that a political action committee formed by a labor organization may report dues contributions in the aggregate by disclosing the amount of dues delivered and the name of the labor organization delivering the contributions. That is clearly the case here, and the Committee's addition of the "dues" description should make future disclosures more clear. Based on the nature of the contribution in question, no A-1 report was required. I therefore recommend the appeal be granted. (As of 6/30/11, this Committee reported a funds available balance of \$5,479.14.)



Tom Newman – Hearing Officer
September 26, 2011

STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
 Springfield, Illinois 62708
 217/782-4141
 Fax: 217/782-5959

James R. Thompson Center
 100 West Randolph, Suite 14-100
 Chicago Illinois 60601
 312/814-6440
 Fax: 312/814-6485



EXECUTIVE DIRECTOR
 Rupert T. Borgsmiller

August 30, 2011

BOARD MEMBERS
 BOARD MEMBERS
 William M. McGuffage, Chairman
 Jesse R. Smart, Vice Chairman
 Harold D. Byers
 Bety J. Coffrin
 Ernest L. Gowen
 Judith C. Rice
 Bryan A. Schneider
 Charles W. Scholz

PAC 34, of the International Brotherhood of Electrical ID# 22824
 Michael Everett, Dennis Greiner
 400 NE Jefferson #410
 Peoria, IL 61603-3739

Dear PAC 34, of the International Brotherhood of Electrical:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
IBEW LU 34 Clearing Account	6/13/2011	\$3000	*	14	\$1500

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1500 for delinquent filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$150, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
 Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the June Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)
County of Peoria)

11 SEP -6 AM 11:27

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
PAC 34, of the International Brotherhood)
of Electrical Workers Local 34)
Respondent(s). 22824)

Case No. 11AJ070

APPEAL AFFIDAVIT

I, Michael Everett, the Chairman of the
(Name) (Chairman/Treasurer)
PAC 34, of the International Brotherhood of Electrical Workers, Local 34
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Member's dues are deposited monthly in to the non-interest
bearing, IBEW LU 34 clearing Account. From there, \$3,000 is
trasferred monthly in to PAC 34. With over 1,000 active members, that
amounts to less than \$3 permember, permonth.

Today, we have added "(Dues)" to the end of the "IBEW LU Clearing
Account" entity name. All of this was done today on the advice
of an Illinois State Board of Elections representative.

Signed and Sworn to by:
Michael Everett
before me this 2 Day of
September, 2011
Mark McCarthy
Notary Public

Michael Everett
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 AJ 073

Fiscal Responsibility for New Trier Pac

ID# 23196

Respondent

REPORT OF HEARING OFFICER

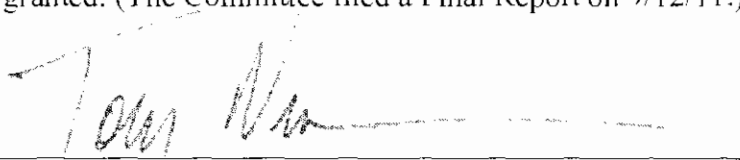
Appeal of Civil Penalty Assessment
For Delinquently Filing a Schedule A-1 Report

The Committee received a \$2,000 contribution on 6/8/11 and reported it on a Schedule A-1 received by the Board on 7/13/11, 19 days late, resulting in a civil penalty assessment of \$1,000.

Marcia Oley, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Oley states that the contribution in question was not actually a contribution, but a return of a deposit made for a lease on the Committee's headquarters. She includes a copy of the Committee's lease agreement, specifying the \$2,000 security deposit.

The contribution was clearly a deposit return, and is reported as such by the Committee on its Quarterly Report. Since this is not an actual contribution, no A-1 was required. I recommend the appeal be granted. (The Committee filed a Final Report on 9/12/11.)



Tom Newman – Hearing Officer
September 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Fiscal Responsibility for New Trier Pac
Marcia Oley
363 Sunset Rd
Winnetka, IL 60093-4258

ID# 23196

Dear Fiscal Responsibility for New Trier Pac:

This committee has failed to timely file the following Schedule A-1's. Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
New Trier Partners	6/8/2011	\$2000	7/13/2011	19	\$1000

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1000 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100. (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

A handwritten signature in black ink that reads "Sharon Steward".

Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the June Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)
County of Cook)

11 SEP -5 11:52

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Fiscal Responsibility for New Trier)
PAC)
Respondent(s).)

Case No. 11AJ073

APPEAL AFFIDAVIT

I, Marcia H. Oley, the Treasurer of the
(Name) (Chairman/Treasurer)
Fiscal Responsibility for New Trier PAC
(Name of the Committee)

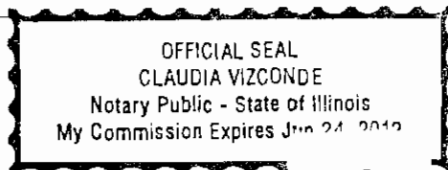
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Re: Failure to file an A-1 for \$2,000 receipt from New Trier Partners
That \$2,000 was not a contribution, but the
return of a deposit made for a lease on our
headquarters. Enclosed is Schedule A filed with
the 6/30/11 quarterly D-2 showing the description -
and excerpts from our lease agreement. "Deposit returned,"

Signed and Sworn to by:

Marcia H. Oley
before me this 2 Day of
September, 2011
Oliver
Notary Public

Marcia H. Oley
(Signature of Chairman/Treasurer)



SCHEDULE A

PART 4: OTHER RECEIPTS

ITEMIZED RECEIPTS		DATE	AMOUNT OF EACH RECEIPT	AGGREGATE AMOUNT
FULL NAME, MAILING ADDRESS, AND ZIPCODE		RECEIVED		FOR THIS REPORTING PERIOD
New Trier Partners, 6815 N. Lincoln Ave. Lincolnwood, IL 60712		6/8/2011	\$2,000.00	\$2,000.00
Description: Deposit returned				
TOTAL FOR THIS PART:				\$2,000.00

STORE LEASE

New Trier Partners
THIS STORE LEASE (this "Lease") is made as of March 4, 2011 (the "Effective Date") between NTP-WINNETKA, LLC, a Delaware limited liability company, c/o NTP Property Management, LLC, with its principal place of business at 6815 N. Lincoln Avenue, Lincolnwood, IL 60712 ("Owner"), and Fiscal Responsibility for New Trier, A Political Action Committee ("Tenant"), with its principal place of business at 511 Lincoln Avenue, Winnetka, Illinois.

1. GRANT AND TERM

1.1. LEASED PREMISES.

In consideration of the rents, covenants and agreements reserved and contained on the part of Tenant to be observed and performed, the Owner demises and leases to the Tenant, and Tenant rents from Owner, those certain premises commonly known as 718 Elm Street, Winnetka, Illinois comprised of approximately 4,320 square feet (the "Premises" or the "Leased Premises"), as depicted in Exhibit A, located in a strip of buildings commonly known as 718 to 732 Elm Street and 511 Lincoln Avenue, Winnetka, Illinois (collectively, the "Building"). Owner reserves the right to add land and buildings and to remove buildings or portions of buildings presently comprising the Building.

1.2. COMMENCEMENT DATE AND LEASE TERM.

- (a) The term of this Lease will commence March 4, 2011 (the "Commencement Date").
- (b) The Lease Term shall be from the Commencement Date through and including April 10, 2011.

2. RENT

2.1. FIXED MINIMUM RENT

upon execution of this Lease
Tenant agrees to pay to Owner, ~~at the address set forth in this Lease, or such other place designated by Owner, monthly in advance on the first day of each month commencing on the Commencement Date, without any prior demand and without any deduction or set-off whatsoever, and~~ as fixed minimum rent ("Fixed Minimum Rent") during the Lease Term:

<u>Period</u>	<u>Monthly Fixed Minimum Rent</u>
March 4, 2011 – April 10, 2010	\$2,000.00

2.2. SECURITY DEPOSIT.

Concurrently with Tenant's execution of this Lease, Tenant must deposit with Owner the sum of \$2,000.00 as security for the full and faithful performance of every provision of this Lease to be performed by Tenant. If Tenant defaults with respect to any provision of this Lease, including, but not limited to, the provisions relating to the payment of Rent, Owner may use, apply or retain all or any part of the security deposit for the payment of any Rent and any other sum with respect to which Tenant is in Default, or for the payment of any other amount which Owner may spend or become obligated to spend by reason of Tenant's Default or to compensate Owner for any other loss or damage which Owner may suffer by reason of Tenant's Default. If any portion of the security deposit is used or applied, Tenant, within five (5) days after written demand, must restore the security deposit to its original amount and Tenant's failure to do so will be a material breach of this Lease and an event of default under this Lease.

23.17 TENANT'S AUTHORITY.

If Tenant signs as a corporation each of the persons executing this Lease on behalf of Tenant represents and warrants that Tenant has been and is qualified to do business in the state in which the Leased Premises is located, that the corporation has full right and authority to enter into this Lease, and that all persons signing on behalf of the corporation were authorized to do so by appropriate corporate actions. If Tenant signs as a partnership, limited liability company, trust or other legal entity, each of the persons executing this Lease on behalf of Tenant represents and warrants that Tenant has complied with all applicable laws, rules and governmental regulations relative to its right to do business in the state and that such entity on behalf of the Tenant was authorized to do so by any and all appropriate partnership, limited liability company, trust or other actions. Tenant agrees to furnish promptly upon request a corporate resolution, proof of due authorization by partners, members, managers, or other appropriate documentation evidencing the due authorization of Tenant to enter into this Lease.

The parties have executed this Lease as of the Effective Date.

TENANT:

Fiscal Respons. Co. 1174 Co. New Trier
~~Bold for Congress~~

By: *[Signature]*
Name & Title: *[Signature]*

LANDLORD:

NTP-Winnetka, LLC, a Delaware limited liability company

By: NTP Property Management LLC, its agent
By: *[Signature]* New Trier Partners, LLC, its Manager

By: *[Signature]*
Robert G. Goldstein, Managing Partner

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 JQ 273

Friends of Jay Farquhar ID# 23421
Respondent

REPORT OF HEARING OFFICER

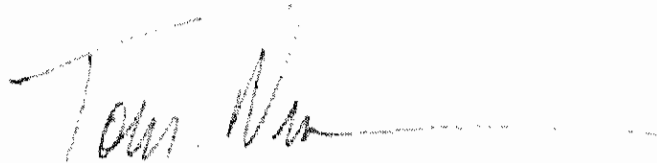
Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on August 3, 2011, 13 days late, resulting in a civil penalty assessment of \$650. Additionally, the Committee had previously been assessed a \$265 civil penalty (not appealed, stayed) for delinquently filing a Schedule A-1 in the first quarter of 2011. The total assessment is \$915.

John Currier, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Currier states the Report was prepared and mailed on July 8, 2011. He says problems with mail delivery apparently prevented the Report from making it to the Board, so the Report was faxed in on August 3. Mr. Currier suggests the mail problem is affecting communications between the Board and Committee in both directions, since a Board mailing to the Committee dated 9/1/11 was not received by the Committee until 9/26/11. He adds that the Committee has since opted to file future reports electronically, to prevent similar problems.

The original mailing from the Committee was never received by the Board. Section 100.125(b) states in part that if the envelope containing a Quarterly Report is not received by the Board, "...if the political committee is assessed a civil penalty for failing to file or delinquently filing either of the reports and, as part of the committee's appeal of the civil penalty assessment, it is alleged by the treasurer, chairman or candidate on a signed and notarized affidavit verifying that the report was mailed more than 72 hours prior to the filing deadline, and this is the first time the committee has made this claim as part of its appeal, the presumptive date of receipt will be rebutted by the testimony contained in the affidavit and the report will be deemed to have been timely received." Since this Committee has not previously made such a claim, I recommend the appeal be granted. If this recommendation is accepted by the Board, the stay would be returned to the previous \$265 civil penalty. (As of 6/30/11, this Committee reported a funds available balance of \$797.57.)



Tom Newman – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Jay Farquhar
John Currier
10283 W Lincoln Hwy
Frankfort, IL 60423

ID# 23421

Dear Friends of Jay Farquhar:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 3, 2011, 13 days late. As such, this committee has been assessed a fine of \$650.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Schedule A-1s	\$265
TOTAL AMOUNT NOW DUE		\$915

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
County of _____)

11 SEP 20 11:50

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
FRIENDS OF JAY FARQUHAR)
Respondent(s).)

Case No. 11JQ 273

APPEAL AFFIDAVIT

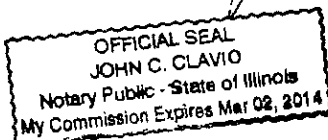
I, JOHN W. CURRIER, the TREASURER of the
(Name) (Chairman/Treasurer)
FRIENDS OF JAY FARQUHAR
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

SEE ATTACHMENTS (4)

Signed and Sworn to by:
John C. Clavio
before me this 20th Day of
September, 2011
John C. Clavio
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



#1
ATTACHMENT TO APPEAL AFFIDAVIT FOR "FRIENDS OF JAY FARQUHAR"

We are appealing late fees for Quarter 1 and Quarter 2.

Quarter 1

We hope that you can be sympathetic to the fact that the Quarter 1 report was simply a beginners mistake for which we initially received a waiver.

Quarter 2

The Quarter 2 report was prepared and mailed on July 8, 2011. Because of an issue with the mail delivery, this report was resubmitted via fax on August 3, 2011 as soon as it was brought to our attention it was not received. It's not clear if the original report mailed by us was ever received by your offices.

We submit there is a problem with the mail delivery because the letter that was received by us on 9/26/2011 was dated 9/1/2011 but postmarked 9/20/2011.

Going Forward

Aside from the mistake on our part in Quarter 1, we find ourselves in this situation now due to problems in the delivery process. To avoid this in the future, we are now set up to submit these reports electronically for all future quarter reports. Having learned from this experience and with the electronic report submission in place, we have set ourselves up for timely, successful submission going forward.

We ask that you please take into compassionate consideration the circumstances, and our inexperience, that contributed to the lateness of our first two reports and waive any penalty fees associated with these reports.


ATTACHMENT TO APPEAL FOR "FRIENDS OF JAY FARQUHAR"

HP LaserJet M2727nf MFP

Fax Confirmation Report

TS-110-FT
708-260-9449
Aug-3-2011 9:58AM

Job	Date	Time	Type	Identification	Duration	Pages	Result
12	8/ 3/2011	9:55:29AM	Send	12177825959	2:52	2	OK

FORM		REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (PLEASE TYPE OR PRINT IN BLACK INK)		FOR OFFICE USE ONLY	
 D-2		<input checked="" type="checkbox"/> Quarterly Report (Check one) <input type="checkbox"/> Final Report <input type="checkbox"/> Amendment of the Report Indicated Above			
		Full name and complete mailing address of Political Committee: FRIENDS OF JAY FARQUHAR 4730 W. LELAND AVENUE MELROSE, IL 60469		POLITICAL COMMITTEE IDENTIFICATION No. 23421	
e-mail address: _____ CHECK IF ADDRESS CHANGE <input type="checkbox"/>		ALL POLITICAL COMMITTEES RETURN TO: STATE BOARD OF ELECTIONS P.O. BOX 4187 1001 S. Spring St. SPRINGFIELD, IL 62764-1187			
REPORTING PERIOD FROM 08/01/11 THRU 08/31/11		CASH AVAILABLE AT THE BEGINNING OF THE REPORTING PERIOD \$ 797.57 Report this amount in SECTION D line 4A.			
COMPLETE ALL SECTIONS FOR QUARTERLY AND FINAL REPORTS					
SECTION A - RECEIPTS			SECTION B - EXPENDITURES		
1 Individual Contributions a. Itemized (from Schedule A) \$ 0.00 (1a) b. Not-Itemized \$ 0.00 (1b) 2 Transfers to: a. Itemized (from Schedule A) \$ 0.00 (2a) b. Not-Itemized \$ 0.00 (2b) 3 Loans Received a. Itemized (from Schedule A) \$ 0.00 (3a) b. Not-Itemized \$ 0.00 (3b) 4 Other Receipts a. Itemized (from Schedule A) \$ 0.00 (4a) b. Not-Itemized \$ 0.00 (4b) TOTAL RECEIPTS (1a thru 4b) \$ 0.00			5 Transfers Out a. Itemized (from Schedule B) \$ 0.00 (5a) b. Not-Itemized \$ 0.00 (5b) 7 Loans Made a. Itemized (from Schedule B) \$ 0.00 (7a) b. Not-Itemized \$ 0.00 (7b) 8 Expenditures a. Itemized (from Schedule B) \$ 0.00 (8a) b. Not-Itemized \$ 0.00 (8b) 9 Independent Expenditures a. Itemized (from Schedule B) \$ 0.00 (9a) b. Not-Itemized \$ 0.00 (9b) TOTAL EXPENDITURES (5a thru 9b) \$ 0.00		
6 In-Kind Contributions a. Itemized (from Schedule C) \$ 0.00 (6a) b. Not-Itemized \$ 0.00 (6b) TOTAL IN-KIND (6a+6b) \$ 0.00			SECTION C - DEBTS AND OBLIGATIONS (Include previously reported unpaid debts) 10 a. Itemized (from Schedule C) \$ 0.00 (10a) b. Not-Itemized \$ 0.00 (10b) TOTAL DEBTS & OBLIGATIONS \$ 0.00		
Name & address of person submitting this report (Excluded the committee's chairman or treasurer) _____ _____ _____			SECTION D - CASH BALANCE Cash available at the beginning of the reporting period \$ 797.57 (A) Total Receipts from Section A: \$ 0.00 (B) Total Cash (A) plus (B): \$ 797.57 (C) Total Expenditures from Section B: \$ 0.00 (D) Funds available at the close of the reporting period (C) minus (D): \$ 797.57 (E) INVESTMENTS & TOTAL: \$ 0.00 (F)		
I DECLARE THAT THIS QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND I HOLD THE DEUTY OF SINCERITY AND FAITH IN A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 6 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFUL FILING OF A FALSE OR INCOMPLETE STATEMENT IS SUBJECT TO A CIVIL PENALTY OF AT LEAST \$100 AND UP TO \$500.					
SIGNATURE OF COMMITTEE TREASURER OR CANDIDATE ONLY: _____ DATE: 7/8/2011					
THIS FORM MAY BE REPRODUCED PAGE 1 OF 2 REVISED 1/01/11					

#3 ATTACHMENT TO "FRIENDS OF JAY FARQUHAR"

STATE BOARD OF ELECTIONS

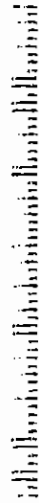
PO Box 4187

1020 S Spring St

Springfield, IL 62708-4187



Friends of Jay Farquhar
4730 W Lilac Ave
Monee, IL 60449-8747



6044988747

ATTACHMENT TO "FRIENDS OF JAY FARQUHAR"

STATE BOARD OF ELECTIONS STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
September 1, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneldar
Charles W. Scholz

Friends of Jay Farquhar
4730 W Lilac Ave
Monee, IL 60449-8747

ID# 23421

Dear Friends of Jay Farquhar:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 3, 2011, 13 days late. As such, this committee has been assessed a fine of \$650.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Schedule A-1s	\$265
TOTAL AMOUNT NOW DUE		\$915

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 MQ 099

Friends of Ramona Thomas ID# 23610
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the March 2011 Quarterly Report

The Report was received by the Board on June 13, 2011, 40 days late, resulting in a civil penalty assessment of \$1000.

Ramona Thomas, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Thomas simply states that the Committee was created on April 1, 2011.

A review of the Committee's filings shows that a Statement of Organization was originally filed on 4/4/11, showing a creation date of March 16, 2011. However, this date of creation was changed to April 1 in an amended Statement of Organization filed in July. The Quarterly Report filed by the Committee indicates the \$3,000 creation threshold was not exceeded until April, so it appears the Report was not actually necessary. As a result, I recommend the appeal be granted. (As of 6/30/11, this Committee reported a funds available balance of \$1,426.00.)

A handwritten signature in dark ink, appearing to read "Tom Newman", is written over a horizontal line.

Tom Newman – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

Friends of Ramona Thomas
Dashara Wells
3613 Briar Ln
Hazel Crest, IL 60429-2411

ID# 23610

Dear Friends of Ramona Thomas:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	January 1, 2011 through March 31, 2011
Filing Period:	April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on June 13, 2011, 40 days late. As such, this committee has been assessed a fine of \$1000.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

11 SEP 29 PM 3:36

STATE BOARD OF ELECTIONS

State of Illinois)
 County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11MQ079

Friends of Ramona Thomas
23610 Respondent(s).)

APPEAL AFFIDAVIT

I, Ramona Thomas, the Chairman of the
 (Name) (Chairman/Treasurer)

Friends of Ramona Thomas
 (Name of the Committee)

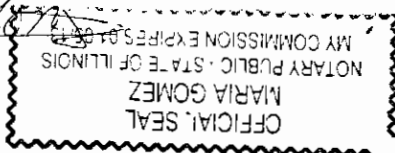
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Committee "Friends of Ramona Thomas" was
created on April 1st, 2011.

Signed and Sworn to by:

Ramona Thomas
 before me this 29 Day of
Sept, 2011

Notary Public



Ramona Thomas
 (Signature of Chairman/Treasurer)

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 AJ 080

Citizens to Elect Judge Lorna Propes

Cmte ID: 23627

Respondent

REPORT OF HEARING OFFICER


Appeal of Civil Penalty Assessment
For Delinquently Filing a Schedule A-1 Report

No Schedule A-1 Report was filed in connection with a contribution of \$2500, dated June 24, 2011, and initially reported as coming from Winston and Strawn, LLP, resulting in an assessment of \$1250. This is the Committee's first offense.

Lorna Propes, the Candidate, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Propes said Winston and Strawn did not, in fact, contribute to her Committee, as reported on the Committee's initial version of its June 2011 Quarterly Report. She stated the donation in question was actually from Dan Webb (an attorney with Winston and Strawn). The Committee did file a timely Schedule A-1 reporting a \$2500 donation from Dan Webb on June 24, 2011. The Committee on August 18, 2011, filed an amended June 2011 Quarterly Report that showed the contribution from Mr. Webb and no contribution from Winston and Strawn, LLP.

I recommend the appeal be granted. This appears to be the product of a simple bookkeeping mistake, and the Committee appears to have complied with the Act with respect to A-1 requirements. As of June 30, 2011, the Committee reported a cash balance of \$38,025.45.



John Levin – Hearing Officer
October 4, 2011

STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR

Rupert T. Borgsmiller

August 30, 2011

BOARD MEMBERS
BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Elect Judge Lorna Propes
1549 W Jackson Blvd
Chicago, IL 60607-5303

ID# 23627

Dear Citizens to Elect Judge Lorna Propes:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Winston & Strawn LLP	6/24/2011	\$2500	*	8	\$1250

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$1250 for delinquent filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$125, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). Since your committee has no other civil penalty assessments and only one delinquent Schedule A-1 amount is listed above, the penalty will be **stayed** as a first violation and would only become due and owing upon any subsequent delinquent filings by the committee. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the June Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

CHICAGO

State of Illinois)
County of _____)

11 SEP 20 10 10:47
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11A J080

Citizen to Elect Judge
Respondent(s) Lorna Proper

APPEAL AFFIDAVIT

I, Lorna Proper, the Candidate of the
(Name) (Chairman/Treasurer)

Citizen to Elect Judge Lorna Proper
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Winston and Shawn, LLP has not made a contribution in any amount. Rather, the contribution from Don K Webb which was properly reported on on A-1 on June 24, 2011, was ~~not~~ initially improperly attributed to Winston & Shawn. This was corrected at the time the A-1 ~~was~~ filed on 6-24-11

Signed and Sworn to by:

before me this _____ Day of _____, 2011

Notary Public

Lorna Proper
(Signature of Chairman/Treasurer)

Candidate

State of Illinois)
County of _____)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11AJ080

Citizen to Elect Judge
Respondent(s). Lorna Proper

APPEAL AFFIDAVIT

I, Lorna Proper, the Candidate of the
(Name) (Chairman/Treasurer)

Citizen to Elect Judge Lorna Proper
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Winston and Strawn, LLP has not made a contribution in any amount. Rather, the contribution from Dan K. Webb which was properly reported on our A-1 on June 24, 2011, was ~~was~~ initially improperly attributed to Winston & Strawn. This was corrected at the time the A-1 ~~was~~ was ~~re~~ filed on 6-24-11

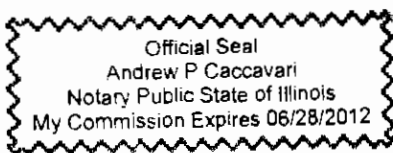
Signed and Sworn to by:
LORNA PROPER

before me this 21st Day of
SEPTEMBER, 2011

[Signature]
Notary Public

[Signature]
(Signature of Chairman/Treasurer)

Candidate
Lorna Proper



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 JQ 274

Friends of John Phelan

ID# 23434

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June Quarterly Report

The Report was received by the Board on July 27, 2011, 8 days late, resulting in a civil penalty assessment of \$200. Additionally, the Committee had previously been assessed a \$94 civil penalty (appealed, appeal granted) for delinquently filing a Schedule A-1 for the first quarter of 2011. The total assessment is \$200.

Susan Kelty, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Kelty states that the Report was intended to be a Final Report for the Committee, as all remaining funds had been distributed. She says the Committee delayed filing the Report because it was waiting for the outcome of its previous appeal. Ms. Kelty says although that appeal was not decided by the time the Report was eventually filed, she felt the Report needed to be filed before the end of July.

Regardless of the outcome of the appeal, the Report was due no later than July 15, 2011. To date, the Committee has not yet filed a Final Report, although the Quarterly Report filed on July 27 did show an ending cash balance of \$0. I recommend the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$0.)



Tom Newman – Hearing Officer
October 5, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of John Phelan
Amy Phelan
600 Thatcher Ave
River Forest, IL 60305-1627

ID# 23434

Dear Friends of John Phelan:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 27, 2011, 8 days late. As such, this committee has been assessed a fine of \$200.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Schedule A-1s	\$94
TOTAL AMOUNT NOW DUE		\$294

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections. Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
County of Cook)

11 OCT -5 AM 8:10

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS.)

Complainant)

Vs.)

Case No. 11JQ274

Friends of John Phelan

Respondent(s).)

ID# 23434

APPEAL AFFIDAVIT

I, Susan Kelly, the Treasurer of the
(Name) (Chairman/Treasurer)

Friends of John Phelan

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The Quarterly Report for the period: April - June 30, 2011 was intended to be the last and final report for our committee as we had distributed all the monies in the campaign fund. But outstanding was the appeal for the previous assessment which we were waiting the outcome. (The appeal was eventually recommended to be granted) we had not heard by the date I filed the Quarterly Report, but I felt I needed to file before the end of July.

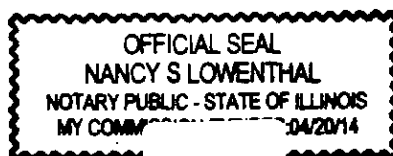
Signed and Sworn to by:

Susan Kelly

before me this 29th Day of
September, 2011

Nancy S Lowenthal
Notary Public

Susan Kelly
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 JQ 253

Citizens for Joseph E Watrach
Respondent

ID# 21778

REPORT OF HEARING OFFICER

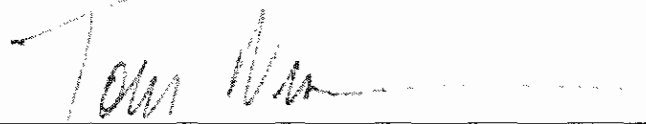
Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 19, 2011. 2 days late, resulting in a civil penalty assessment of \$100. Additionally, the Committee had previously been assessed a \$250 civil penalty (not appealed, stayed) for delinquently filing the June 2009 Semi-Annual Report. The total assessment is \$350.

Joseph Watrach, the Candidate of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Watrach states that he accidentally sent his Report to Cook County, rather than the Board. When he realized the mistake, Mr. Watrach says he immediately faxed the Report to the Board.

I recommend the appeal be denied for lack of an adequate defense. If this recommendation is accepted by the Board, the stay would be lifted from the earlier assessment, and the total civil penalty of \$350 would be due and owing. (As of 9/30/11, this Committee reported a funds available balance of \$162.98.)



Tom Newman – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Joseph E Watrach
Mile Dabjjeviz
9628 W Higgins Rd
Rosemont, IL 60018

ID# 21778

Dear Citizens for Joseph E Watrach:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 19, 2011, 2 days late. As such, this committee has been assessed a fine of \$100.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through June 30, 2009	Semi-Annual	\$250
TOTAL AMOUNT NOW DUE		\$350

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
County of COOK)

11 SEP 20 11 3:04

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11 JQ 253

Citizens For Joseph E. Watrach)
Respondent(s).)

APPEAL AFFIDAVIT

I, Joseph E. Watrach, the Joseph E. Watrach of the
(Name) (Chairman/Treasurer)
CITIZENS FOR JOSEPH E. WATRACH
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: Contact # 847-878-7800

I had confused the departments, and sent
my information to ~~the~~ cook county rather than
The State, upon realizing my mistake I called
and immediately faxed over my state copy. I am a small
organization and do not even have enough money in my
account to cover fine. IF you could please show some mercy.

Signed and Sworn to by:

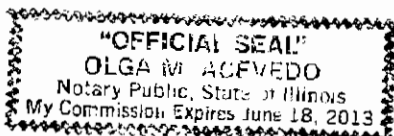
Thank you,

before me this 30 Day of

September 2011

[Signature]
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 JQ 243

Citizens to Elect Robert Eastern III

ID# 20519

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 29, 2011, 10 days late, resulting in a civil penalty assessment of \$750. Additionally, the Committee had previously been assessed a \$750 civil penalty (appealed, appeal denied, paid) for delinquently filing the June 2008 Semi-Annual Report, and a \$2,500 civil penalty (not appealed, paid) for delinquently filing the June 2007 Semi-Annual Report. The total assessment is \$750.

Robert Eastern III, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Eastern states that his Treasurer, Robert Eastern Jr., passed away suddenly on March 9, 2011, and that he was unable to obtain his Committee's financial records. These records were apparently in a locked file cabinet, for which Mr. Eastern was unable to locate the key.

While I am sympathetic to Mr. Eastern for the loss of his father, the excuse offered fails to explain how the Committee was able to timely file its March Quarterly Report on April 14. Nor does it explain why the Committee was apparently unable to obtain its records during the three months after the April filing, in order to file the June Report on time. I recommend the appeal be denied. As a first violation, the penalty is stayed. Additionally, since the Committee filed a Final Report on 7/29/11, I recommend that should the Committee remain inactive for a period of two years following the Final Order imposing the fine, the fine be abated.



Tom Newman – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Elect Robert Eastern III
Robert III Eastern
PO Box 2645
East Saint Louis, IL 62205-2645

ID# 20519

Dear Citizens to Elect Robert Eastern III:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 29, 2011, 10 days late. As such, this committee has been assessed a fine of \$750.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
 County of ST. CLAIR)

11 SEP 28 PM 1:41

BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
 ILLINOIS STATE BOARD OF ELECTIONS,)
)
 Complainant)
)
 Vs.)
)
Robert Eastern III)
 Respondent(s).)

Case No. 11JQ 243

APPEAL AFFIDAVIT

I, Robert Eastern III, the Chairman of the
 (Name) (Chairman/Treasurer)
Citizens to Elect Robert Eastern III
 (Name of the Committee)

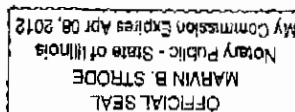
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

My Treasurer (Robert Eastern Jr) passed away
suddenly 09 March 11 I was unable to obtain
my records, I was unable to located his
keys to open the file cabinet.

Signed and Sworn to by:

before me this 28th Day of
Sept. 2011
Marvin B. Strode
 Notary Public

Robert Eastern III
 (Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 MQ 079

Citizens for Andy Lam
Cmtc ID: 22872
Respondent


REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the March 2011 Quarterly Report

The Report was received August 1, 2011, 74 days late, resulting in an assessment of \$1850. This is the Committee's first assessment.

Andy Lam, the Candidate, Treasurer and Chairman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Lam apologized for delinquently filing the Report. He said he was misinformed about the proper filing method, and the error was unintentional. He stated mail delivery to his apartment that may have included notice from the Board was disrupted when the front gate to the complex was broken, and management did not adequately repair it.

I recommend the appeal be denied for lack of an adequate defense. The Board upheld its statutory requirement to notify the Committee of its pending Reports and cannot be held responsible for unforeseen events that may have prevented the Committee from receiving the notice. If the Board accepts this recommendation, the assessment would be stayed as the product of a first offense. On August 1, 2011, the Committee filed a Final Report that included an ending balance of \$0.00. It has been audited and accepted.



John Levin – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Andy Lam
Andy Lam
5047 N Kenmore Ave, Apt B
Chicago, IL 60640-6432

ID# 22872

Dear Citizens for Andy Lam:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	January 1, 2011 through March 31, 2011
Filing Period:	April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 1, 2011, 74 days late. As such, this committee has been assessed a fine of \$1850.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of Cook)

FILED IN CASE NO. 11 MQ 079

11 SEP 22 AM 9:33

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs. Citizens for)

ANDY LAM)

Respondent(s).)

Case No. 11 MQ 079

APPEAL AFFIDAVIT

I, ANDY LAM, the Chairman, Treasurer, of the
(Name) (Chairman/Treasurer)

Citizens for ANDY LAM
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Dear Election Officers:

I apologize sincerely for filing late. I was misinformed about the proper way of filing these required reports. My campaign was effectively dissolved due to lack of fundings & manpower. This

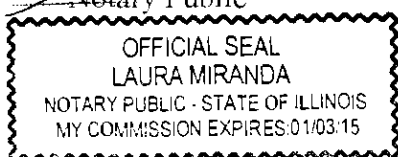
was my first time running and any errors on my part were truly unintentional. Also, the front gate of our apartment were broken & the management refused to make good repair. As a result, I was

Signed and Sworn to by: ANDY LAM

before me this 20 Day of Sept, 2011

(Signature of Chairman/Treasurer)

Laura Miranda
Notary Public



not getting good delivery on mail services and aware of the late filing until it passed the due date 131
Respectfully,
Please dismiss this case kindly.

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 AJ 071

Friends of Mayor Kerry Durkin
Respondent

ID# 22849

REPORT OF HEARING OFFICER

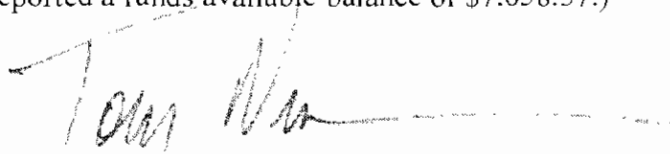
Appeal of Civil Penalty Assessment for Delinquent Filing Schedule A-1 Reports

The Committee received a total of five \$1,000 contributions, one on May 6, 2011, one on May 12, 2011 and three on May 20, 2011, and reported all five on a Schedule A-1 received by the Board on July 12, 2011. 40, 36 and 30 days late, respectively, resulting in a civil penalty assessment of \$2,500.

Kerry Durkin, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Durkin states that he was unable to get the new version of the IDIS electronic filing software to work at the time the A-1s were due. He says when the Quarterly Report was due, it took him parts of two days on the telephone with Board staff before he was able to file electronically.

A review of Board records shows Mr. Durkin did contact the Board for electronic filing assistance on 7/11 and 7/12. It is apparent from this that there were some technical problems preventing the Committee from being able to file electronically. However, there is no record of Mr. Durkin seeking filing assistance at the time the A-1 reports were due. Simply saying the software was not working at the time does not excuse the Committee for waiting roughly two months to file the A-1s, and seems to show a lack of due diligence on the Committee's part. I therefore must recommend the appeal be denied. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this is the first set of A-1 violations for this Committee, I further recommend the penalty be reduced to 10% of the original assessment, or \$250. If these recommendations are accepted by the Board, the \$250 civil penalty will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$7,658.37.)



Tom Newman – Hearing Officer
October 3, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Mayor Kerry Durkin
PO Box 511
Glenwood, IL 60425-0511

ID# 22849

Dear Friends of Mayor Kerry Durkin:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Friends of Mayor Charles Griffin	5/20/2011	\$1000	7/12/2011	30	\$500
Murphy, Rosenthal, Coblenz & Donahue	5/6/2011	\$1000	7/12/2011	40	\$500
Robinson Engineering	5/12/2011	\$1000	7/12/2011	36	\$500
Tower Contracting	5/20/2011	\$1000	7/12/2011	30	\$500
Westside Transport	5/20/2011	\$1000	7/12/2011	30	\$500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$2500 for delinquently filing Schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$250, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. *Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.*

State of Illinois)
County of Cook)

11 SEP 13 AM 11:10

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS.)

Complainant)

Vs.)

Case No. 11AJ071

FRIENDS OF Mayor KERRY DUKKIN
Respondent(s).)

APPEAL AFFIDAVIT

1. Kerry DUKKIN, the CHAIRMAN of the
(Name) (Chairman/Treasurer)

FRIENDS OF Mayor KERRY DUKKIN
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

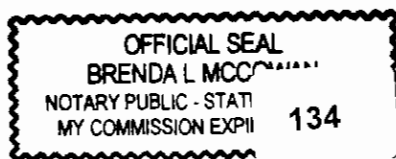
I COULD NOT GET THE NEW VERSION OF IDIS TO
WORK AT THE TIME THE A-1'S WERE DUE.
WHEN THE QUARTERLY STATEMENT WAS DUE I SPENT
PARTS OF TWO(2) DAYS ON THE TELEPHONE WITH
IT SPECIALISTS IN SPRINGFIELD TO ALLOW ELECTRONIC FILING
CELL PHONE # 708-491-8776

Signed and Sworn to by:

Kerry DUKKIN
before me this 12th Day of
September, 2011

Brenda L. McCowan
Notary Public

Kerry DUKKIN
(Signature of Chairman/Treasurer)





Campaign Disclosure IDIS Service Requests: 7/11/11 -- 8:15am -- report now showing

Tags &
Notes

The content of this item will be sent as an e-mail message to the person or group assigned to the item.

Short Description	7/11/11 -- 8:15am -- report now showing
Details	Has entered data for second quarter of the year but no reports are showing up under Reports Due Now
Assigned To	SBE\KimM
Request Status	Complete
First Name	Kerry
Last Name	Durkin
Contact Number	708-491-8776
Contact Email	
System	IDIS
Committee	
Date Call Taken	7/11/2011
Resolution	ONCE a manual install of SQL server was done the program was working. He had 4 old A-1's that he had been unable to file because he couldn't get the program to work. Filed them today.
Resolution Date	7/12/2011
Priority	(2) Normal
Comments	<p>SBE\KimM (7/12/2011 10:20 AM):</p> <p>SBE\KimM (7/11/2011 11:25 AM): Ran the .net cleanup tool, rebooted then installed .net 3.5 successfully. He is going to call back in the morning to continue install.</p> <p>SBE\KimM (7/11/2011 10:49 AM): He had errors on one computer. Tried the laptop. Ran the setup for IDIS Windows installer 4.0 installed then had problems with .net</p> <p>Levin, John (7/11/2011 8:17 AM):</p>
Full Name	Kerry Durkin
Related Issues	

Version: 4.0
 Created at 7/11/2011 8:17 AM by Levin, John
 Last modified at 7/12/2011 10:20 AM by SBE\KimM

Close

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 AJ 066

Friends of Jim Moody ID# 22175

Respondent

REPORT OF HEARING OFFICER

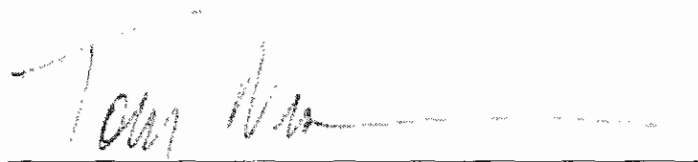
Appeal of Civil Penalty Assessment for Delinquently Filing a Schedule A-1 Report

The Committee received a \$1,000 contribution on 4/29/11 and reported it on a Schedule A-1 received by the Board on 7/15/11, 47 days late, resulting in a civil penalty assessment of \$500. Additionally, the Committee had previously been assessed a \$150 civil penalty (appealed, appeal denied, stayed) for delinquently filing the June 2010 Semi-Annual Report. The total assessment is \$650.

James Moody, the Chairman of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Moody states that the A-1 was reported late because the Committee was unaware of the change to disclosure law requiring an A-1 filing for all contributions of \$1,000 or more. He says the Committee Treasurer was not aware the contribution had been received until she saw the Committee's bank statement.

I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violation was anything other than inadvertent and unintentional, and since this is the first A-1 violation for this Committee, I recommend the penalty be reduced to 10% of the original assessment, or \$50. If these recommendations are accepted by the Board, the stay would be lifted from the earlier penalty, and the civil penalty of \$200 would be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$8,648.08.)



Tom Newman – Hearing Officer
October 4, 2011

State of Illinois)
County of _____)

11 SEP 28 PM 12:54

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS.)

Complainant)

Vs.)

Case No. 11AJ066

FRIENDS OF JIM MOODY

Respondent(s).)

APPEAL AFFIDAVIT

I, JAMES P. MOODY, the CHAIRMAN of the
(Name) (Chairman/Treasurer)

FRIENDS OF JIM MOODY

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

THE SCHEDULE A-1's, REPORT OF CONTRIBUTIONS OF
\$1,000.00 WAS SUBMITTED LATE BECAUSE THE ILLINOIS
CAMPAIN DISCLOSURE ACT CHANGED AND THE COMMITTEE
WAS NOT AWARE OF THE NEW REPORTING REQUIREMENT.
AS A RESULT, THE TREASURER WAS NOT AWARE THE
CONTRIBUTION WAS RECEIVED SHE RECEIVED THE BANK STATEMENT.
THIS ~~WAS~~ IS A FIRST TIME VIOLATION. RESPONDENT, THEREFORE,
REQUEST GRANTING OF THIS APPEAL

Signed and Sworn to by:

James P. Moody

before me this 29 Day of

September, 2011

Amy J. Smith
Notary Public

James P. Moody, Chairman
(Signature of Chairman/Treasurer)



STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Friends of Jim Moody
Barbara Mason
43 Trailridge Ln
Springfield, IL 62704

ID# 22175

Dear Friends of Jim Moody:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Laborer's Local 477 COPE	4/29/2011	\$1000	7/15/2011	47	\$500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$500 for delinquent filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$50, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
January 1 through June 30, 2010	Semi-Annual	\$150
TOTAL AMOUNT NOW DUE		\$200

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 JQ 247

Citizens to Re-Elect Kathy Svoboda ID# 21438
Respondent

REPORT OF HEARING OFFICER

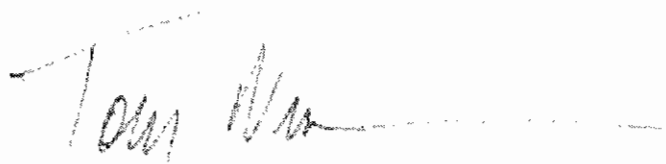
Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 18, 2011, 1 day late, resulting in a civil penalty assessment of \$25. Additionally, the Committee had previously been assessed a \$25 civil penalty (appealed, appeal granted) for delinquently filing the December 2010 Semi-Annual Report. The assessment letter sent to the Committee also lists a \$200 civil penalty (not appealed, stayed) for delinquently filing the Pre-Election Report for the 2009 Consolidated Primary Election. However, the fine for this violation actually expired on 8/19/11, two years following the date of the final order imposing the fine. The total assessment is therefore \$25.

Judith Field, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Field states that she attempted to download and install the Board's electronic filing software on 7/12/11 but had difficulty getting it to work. She says she received assistance from the Board and a computer consultant over the next two days, but was still unable to get the software to work. Finally, Ms. Field says she put the Report into overnight mail.

The envelope containing the Report was received by the Board with a postmark of July 16, the date after the filing deadline, making it a late filing. While it is apparent the Committee experienced difficulty with filing the report electronically, Section 100.150(c)(5) of the Board's Rules and Regulations only allows an electronic filing defense for certain committees, stating "*If a committee is assessed a civil penalty for delinquently filing a report required to be filed electronically and, in the course of its appeal, raises the defense that computer related issues (including, but not limited to, software, firewalls, system failures) prohibited the timely filing of an electronic report, the Board may consider that defense when determining the final outcome of the appeal.*". Since this Committee is not required to file its reports electronically, I must recommend the appeal be denied. The Report could have been filed on paper prior to the deadline. As a first violation, the penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$320.02.)



Tom Newman – Hearing Officer

October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Re-elect Kathy Svoboda
Judith Field
7227 Arbor Ln
Justice, IL 60458

ID# 21438

Dear Citizens to Re-elect Kathy Svoboda:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 18, 2011, 1 day late. As such, this committee has been assessed a fine of \$25.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 26 through March 8, 2009	Pre-Election	\$200
TOTAL AMOUNT NOW DUE		\$225

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
County of CLERK)

11 SEP 20 11:10:58

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11JQ247

CITIZENS TO RE-ELECT KATHY
Respondent(s). SYOBODA)

APPEAL AFFIDAVIT

I. JUDITH L FIELD, the TREASURER of the
(Name) (Chairman/Treasurer)

CITIZENS TO RE-ELECT KATHY SYOBODA
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I CALLED ON 7/12/11 TO SET UP AN ONLINE LOG IN TO
FILE ELECTRONICALLY. I TRIED TO DOWNLOAD SOFTWARE
THAT EVENING AND COULD NOT. I CALLED BACK FOR TECH.
ASSIST. ON WED AND TRIED AGAIN THAT EVENING. STILL

WOULDN'T LOAD. CALLED COMP. CONSULTANT ON THURS.
HE COULD NOT GET IT TO WORK EITHER. FINALLY PUT
REPORT IN OVERNIGHT MAIL. PLEASE FORGIVE FINE
Signed and Sworn to by: IT WOULD CLOSE MY COMMITTEE.

JUDITH L. FIELD
before me this 28th Day of
September, 2011

Judith L. Field
(Signature of Chairman/Treasurer)

[Signature]
Notary Public



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 AM 137

Patricia Horton for City Clerk 23214

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing
A Schedule A-1 for the 1st Quarter of 2011

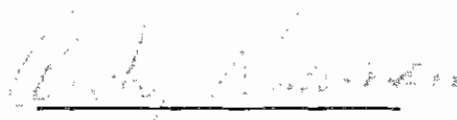
This Committee received in-kind contributions of \$3,000 on 2/4/11, \$1,000 on 2/11/11, \$1,900 on 2/18/11, \$1,678 on 2/19/11, \$3,000 on 2/21/11 and a transfer of \$5,043.95 on 2/28/11 from the Committee to Elect Rickey Hendon, plus a \$1,000 contribution from MPR Engineering on 2/14/11 and a \$1,000 contribution from Lawrence Suffredon on 2/15/11 and filed them on a Schedule A-1 on 4/15/11. In Addition, this Committee had previously been assessed a \$100 civil penalty (not appealed, reduced, stayed) for the delinquently filing a Schedule A-1 in the 1st Quarter of 2011. The total civil penalty assessment is \$8,911.

Elaine Shaw, the treasurer of the Committee, appeared at the 8/31/11 appeal hearing.

Elaine Shaw testified that she was not aware that Committee to Elect Rickey Hendon had paid for signs, posters and palm cards on behalf of Patricia Horton for City Clerk until she was preparing the Quarterly Reports for both Committees. She also did not know that the Committee to Elect Rickey Hendon had also given Patricia Horton for City Clerk a contribution until she started cross referencing the reports. She indicated that if she had not prepared the reports for both of these committees she would have never known that these transactions had taken place in relation to Patricia Horton for City Clerk. The Committee to Elect Rickey Hendon did not give Patricia Horton for City Clerk an in-kind notification form for any of the 5 in-kind contributions that were provided to the Committee. As for the MPR Engineering and the Lawrence Suffredon contributions Ms. Shaw indicated that she did not realize a Schedule A-1 was due for these contributions until the program prompted her to file a Schedule A-1 after she entered the contributions into the IDIS program. She indicated that this was an oversight and this was not intentional.

In relation to the 5 in-kind contributions from the Committee to Elect Rickey Hendon Section 100.20 (d) states that *A contribution of goods actually received by the committee is deemed to be made on the date the goods are transferred to the possession of the recipient.* The Committee, Patricia Horton for City Clerk would have received the signs, posters and palm cards prior to the election. Ms. Shaw indicated that these materials were distributed by both political committees and therefore the Committee had knowledge of the in-kind contributions even if the treasurer was not made aware of these contributions. Therefore, in relation to the 5 in-kind contributions of \$3,000, \$1,000, \$1,900, \$1,678, and \$3,000 I recommend the

appeal be denied for a lack of an adequate defense. In addition, since there is no indication that these violations were anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$529. In relation to the contributions received from Committee to Elect Rickey Hendon for \$5,043.95, MPR Engineering for \$1,000 and Lawrence Suffredon for \$1,000 the checks were deposited into the bank account and a Schedule A-1 was not filed within the required allotment of time. The fact that the treasurer was not aware of the one contribution being deposited and she did not realize a Schedule A-1 was required for the other two contributions does not excuse the late Schedule A-1 filing. I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violations were anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$353. If these recommendations are accepted by the Board, the stay will be lifted from the \$100 civil penalty, and the total amount of \$982 will be due and owing. (As of 6/30/11, this committee reported a funds available balance of \$1,628.55.)



Andy Nauman – Hearing Officer
September 26, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Patricia Horton for City Clerk
Elaine E Shaw
4046 W Jackson Blvd
Chicago, IL 60624-2756

ID# 23214

Dear Patricia Horton for City Clerk:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Cmte to Elect Rickey Hendon	2/4/2011	\$1500	\$3000	4/15/2011	45
Cmte to Elect Rickey Hendon	2/11/2011	\$500	\$1000	4/15/2011	41
Cmte to Elect Rickey Hendon	2/18/2011	\$950	\$1900	4/15/2011	36
Cmte to Elect Rickey Hendon	2/19/2011	\$839	\$1678	4/15/2011	36
Cmte to Elect Rickey Hendon	2/21/2011	\$1500	\$300	4/15/2011	36
Cmte to Elect Rickey Hendon	2/28/2011	\$2522	\$5043.95	4/15/2011	28
MPR Engineering	2/14/2011	\$500	\$1000	4/15/2011	40
Lawrence Suffreden	2/15/2011	\$500	\$1000	4/15/2011	39

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$8820 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$882, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must**

be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.

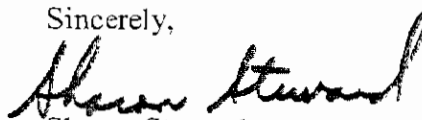
If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
January 1 through March 31, 2011	Schedule A-1	\$100
<i>TOTAL AMOUNT NOW DUE</i>		<i>\$982</i>

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

CHICAGO

State of Illinois)
County of Cook)

11 AUG -1 PM 3:03
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
ILLINOIS STATE BOARD OF ELECTIONS.)

Complainant)

Vs.)
PATRICIA HORTON for City Clerk)
Respondent(s).)

Case No. 11 AM 137

APPEAL AFFIDAVIT

I, Elaine E Shaw, the Treasurer of the
(Name) (Chairman/Treasurer)
Patricia Horton for City Clerk
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The first 5 offences were In Kinds
Paid by the Committee to Elect Ricky
Hendon without my knowledge. The transfer
was transferred after the closing of the committee
to elect Ricky Hendon without my knowledge.

Signed and Sworn to by:

ELAINE E. SHAW

before me this 01 Day of

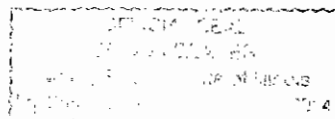
08 2011

Wanda Deane

Notary Public

Elaine E. Shaw

(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 JQ 224

Citizens for Officer
Cmte ID: 17239
Respondent


REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the June 2011 Quarterly Report

The Report was received July 27, 2011, 8 days late, resulting in an assessment of \$600. The Committee was previously assessed \$75 (not appealed, stayed) for delinquently filing a Schedule A-1 Report (not appealed, stayed) during the first quarter of 2011. Additionally, the Committee was previously assessed and paid the following amounts: \$200, for delinquently filing the CE 2003 Pre-Election Report; \$50, for a delinquent Schedule A-1 Report for the 2003 Consolidated Primary; \$253, for a separate delinquent Schedule A-1 Report for the 2003 Consolidated Primary; \$12.50, for a delinquent December 2007 Semi-Annual Report; and \$800, for a delinquent December 2008 Semi-Annual Report.

Leverne E. Backstrom, the Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, the Treasurer stated the delinquent filing was the product of an oversight and was not flagrant, nor representative of a pattern of non-compliance with disclosure deadlines.

I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, the stay on the assessment for the delinquent Schedule A-1 Report would be lifted, and a total of \$675 would be due and owing. As of June 30, 2011, the Committee reported a cash balance of \$1,058.66.



John Levin – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Officer
Leverne E Backstrom
1307 Pennsylvania Ave
E St Louis, IL 62205

ID# 17239

Dear Citizens for Officer:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 27, 2011, 8 days late. As such, this committee has been assessed a fine of \$600.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through March 31, 2011	Schedule A-1s	\$75
TOTAL AMOUNT NOW DUE		\$675

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
)
County of SAINT CLAIR)

11 SEP 06 AM 10:10

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.)
)
CITIZENS FOR OFFICER)
Respondent(s).)

Case No. 11JQ 224

APPEAL AFFIDAVIT

I, LEVERNE E. BACKSTROM, the TREASURER of the
(Name) (Chairman/Treasurer)
CITIZENS FOR OFFICER
(Name of the Committee)

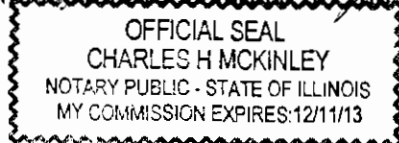
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

OUR FAILURE TO COMPLY WITH THE PROVISION OF 10 ILCS 5/9-10 (b) OF THE ELECTION
CODE WAS AN OVERSIGHT ON MY PART. IT IS OUR INTENTION TO COMPLY WITH ALL
REQUIRED GUIDELINES AND PROVISIONS; FAILURE TO DO SO WAS NOT A FLAGRANT
ACT ON OUR PART. REVIEW OF OUR RECORDS WILL SHOW THAT WE DO NOT HAVE A
HISTORY OF NON-COMPLIANCE.

Signed and Sworn to by:

LEVERNE E. BACKSTROM
before me this 21st Day of
September, 2011.

Notary Public CHARLES H. MCKINLEY



Leverne E. Backstrom
(Signature of Chairman/Treasurer)
LEVERNE E. BACKSTROM

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 MA 063

Mary Beth Welch Collins Campaign Fund
Cmte ID: 20735
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment


For Delinquently Filing the December 2010 Semi-Annual Report and March 2011 Quarterly Report

The December 2010 Semi-Annual Report was received on July 8, 2011, 117 days late, resulting in an assessment of \$5000. The March 2011 Quarterly Report was also received on July 8, 2011, 58 days late, resulting in an assessment of \$4350. The Committee was previously assessed \$50 for delinquently filing the June 2009 Semi-Annual Report.

Mary Beth Welch Collins, the Candidate, Chairman and Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Welch Collins said family and financial responsibilities, along with the disappointment of a 2008 election loss and the opening of a new law practice led to the late filings. She noted the Committee had not conducted any financial transactions since 2008 and was not trying to hide anything when it neglected to file the required Reports.

While I sympathize with Ms. Welch Collins, I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, a total of \$9400 would be due and owing. However, the Committee filed a Final Report with an ending balance of \$0.00 on July 8, 2011. Accordingly, under Section 125.425 of the Rules accompanying the Act, the assessment would be abated if the Committee does not reactivate within two years of the final board order in this matter.



John Levin – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Mary Beth Welch Collins Campaign Fund ID# 20735
480 E 12th St
Flora, IL 62839-1850

Dear Mary Beth Welch Collins Campaign Fund:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 8, 2011, 117 days late. As such, this committee has been assessed a fine of \$5000.

In addition, this committee failed to electronically re-file the following documents during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	January 1 through March 31, 2011
Filing Period:	April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 8, 2011, 58 day(s) late. As such, this committee has been assessed a fine of \$4350.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.***

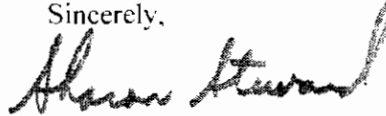
If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
January 1 through June 30, 2009	Semi-Annual	\$05
<i>TOTAL AMOUNT NOW DUE</i>		\$9400

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward, Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

State of Illinois)
County of Sangamon)

11 SEP 28 11:10:45

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11MA 063

Mary Beth Welch Collins)
Respondent(s). Campaign Fund)

APPEAL AFFIDAVIT

I, Mary Beth Welch Collins, the Chairman of the
(Name) (Chairman/Treasurer)

Mary Beth Welch Collins Campaign Fund
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

please see attached sheets.

Signed and Sworn to by:

Mary Beth Welch Collins
before me this 27th Day of
September, 2011

Danielle Marie Esker
Notary Public

Mary Beth Welch Collins
(Signature of Chairman/Treasurer)





LAW OFFICE OF
MARY BETH WELCH COLLINS

130 East North Avenue, Flora, Illinois 62839 • Ph. (618) 662-5900 • Fax (618) 662-5920

September 27, 2011

Campaign Disclosure
1020 S. Spring Street
Springfield, IL 62704

RE: In Re: Illinois State Board Of Elections v. Mary Beth Welch Collins
Campaign Fund, 2011-CD-066

Dear State Board of Elections:

I am appealing to this Board not because I claim I filed my election reports in a timely manner, but because I am requesting that the penalty for said filings be substantially reduced, if not waived based upon the fact that the violations were negligent and/or inadvertent.

I ran for Clay County State's Attorney in 2008. The contested primary was in early 2008, and the general election was November, 2008. At the time I decided to run, I was a stay at home mother of three children ages 6, 4, and 1. While I attempted to raise some money through fundraisers, most of the income spent in the election was our own (my husband and I). The election ravaged our savings, and I borrowed off of my credit cards to loan myself money to loan to my committee to pay for the election expenses. After losing the general election, my family was devastated, both emotionally and financially.

My husband and I immediately, the day after the election, put our home on the market which thankfully sold quickly. This allowed me to pay my final advertising bills through the campaign and pay off credit cards. My family moved into a home that was one-third of the value of the home we had just sold, and we started to try to put back together our lives.

In December 2008, my family of five moved to our new "downsized version" of home, and I started up my law practice, The Law Office of Mary Beth Welch Collins, in Flora, Illinois. With three young children, moving, dealing with the loss of an election, being financially and emotionally distraught, and opening up a law office, there were certain things that I failed to do.

Since December 2008, there was no activity in my campaign committee. I was not accepting contributions or paying bills. I had no intention of ever running for office again, but I simply did not get around to closing my committee. I tried to keep up with filing reports, but I no longer received email through my home email, just my office email. I would miss the notices. At some point in 2009, we canceled our internet at home, and I did not use the same email address as the one on file with the State Board of Elections. At some point that same year, our home computer crashed, and I no longer had access to the computerized filing system IDIS.

All of the above facts, coupled with the fact that I was fully engrossed in my new law practice and my always crazy family life made it ripe for it to "slip my mind" to contact the State Board of Elections to just close my committee. Occasionally, I would think about it, and then I would forget by the time I got back to the office.

When I received notice of the above action in June, 2011, I immediately contacted the State Board, requested new IDIS software, closed my committee and filed the reports which had no activity. I have no interest in ever running for election again. There was not activity I was trying to hide by not filing these reports. Due to my own negligence, I did not receive the notices for filings per email, and once I stopped receiving notices, I did not know to file. I have no excuse but negligence and/or inadvertence.

The Hearing Officer assessed my fine in this matter at \$9,400. There is no way my family can pay this fine. We have nothing to pay it with. We lost everything financially in the 2008 election, including our home, and we have been fighting to recover since. I am an upstanding citizen who was at the top of my class in high school, college and law school. I have never been in trouble in any way, certainly not in a legal way. This fine would devastate my family, and I just do not believe the "punishment fits the crime" in this case.

I am respectfully asking this Board to please reconsider the amount of this fine or waive it entirely. Thank you for your time and attention to this matter. If you have any questions, concerns, or need additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Mary Beth Welch Collins". The signature is written in dark ink and is positioned above the printed name.

Mary Beth Welch Collins

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 DS 361

Friends of Carol Johnson
Cmte ID: 23347
Respondent

REPORT OF HEARING OFFICER

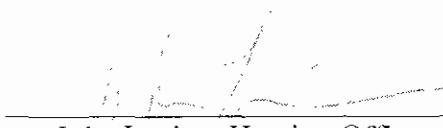
Appeal of Civil Penalty Assessment
For Delinquently Filing the December 2010 Semi-Annual Report

The Report was received February 1, 2011. 8 days late, resulting in an assessment of \$200. This is the Committee's first offense.

Carol G. Johnson, the Chairwoman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Johnson said the late filing was unintentional, and the Committee does not have an ability to pay the assessment.

I recommend the appeal be denied for lack of an adequate defense. If the Board accepts this recommendation, the assessment would be stayed as the product of a first offense. The Committee submitted a Final Report with an ending cash balance of -\$77.48 on May 17, 2011, and has been instructed by Board staff to amend the Report, since a negative reported balance is not acceptable.



John Levin – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert L. Walters

Friends of Carol G Johnson
Carol G Johnson
152 N Leamington Ave
Chicago, IL 60644-3406

ID# 23347

Dear Friends of Carol G Johnson:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

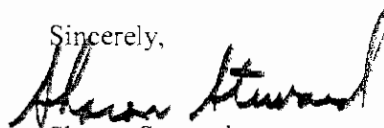
Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on February 1, 2011, 8 days late. As such, this committee has been assessed a fine of \$200.

Enclosed please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of any provision of Article 9 of the Election Code or of a Board Order shall result in the assessment of an additional penalty as provided in Section 125.425 of the Rules and Regulations governing the State Board of Elections, with that civil penalty and any previously assessed penalty to be paid within 30 days. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

CHICAGO

State of Illinois)
)
County of _____)

11 SEP 22 PM 1:47
STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11 DS 361

Friends of Carol Johnson)
Respondent(s).)

APPEAL AFFIDAVIT

I, Carol G. Johnson, the Chairman of the
(Name) (Chairman/Treasurer)

Friends of Carol G. Johnson
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

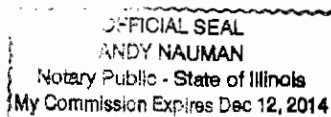
- 1) Financial hardship - inability to pay
- 2) (negative balance)
- unintentional offense

Signed and Sworn to by:

Carol Johnson
before me this 22 Day of
September, 2011

Andy Nauman
Notary Public

Carol G. Johnson
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 JQ 242

Committee to Elect Brad Shields
Cmte ID: 20408
Respondent


REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing the June 2011 Quarterly Report

The Report was received August 5, 2011, 15 days late, resulting in an assessment of \$375. The Committee was previously assessed \$125 (not appealed, stayed) for delinquently filing the June 2009 Semi-Annual Report.

Brad Shields, the Candidate, Treasurer and Chairman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Shields stated he had not received prior notification by e-mail from the Board in advance of the deadline for the Report. Mr. Shields also raised some issues with respect to notification in advance of the June 2009 Semi-Annual Report. Those issues are moot, as the Committee did not appeal that assessment in 2009.

I recommend the appeal be denied for lack of an adequate defense. Board staff confirmed notification was sent May 27, 2011, to the e-mail address provided by the Committee. It was not returned as undeliverable. If the Board accepts this recommendation, the stay on the assessment for the delinquent June 2009 Semi-Annual report would be lifted, and a total of \$500 would be due and owing. As of June 30, 2011, the Committee reported a cash balance of \$1588.97.



John Levin – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Committee to Elect Brad Shields
Brad Shields
818 Evans Ave
Machesney Park, IL 61115

ID# 20408

Dear Committee to Elect Brad Shields:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 5, 2011, 15 days late. As such, this committee has been assessed a fine of \$375.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.***

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through June 30, 2009	Semi-Annual	\$125
TOTAL AMOUNT NOW DUE		\$500

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

State of Illinois)
)
County of Winnebago)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
)
ILLINOIS STATE BOARD OF ELECTIONS.)
)
Complainant)
)
Vs.)
)
Committee to Elect Brad Shields)
Respondent(s).)

Case No. 11 JQ 242

APPEAL AFFIDAVIT

I, Brad Shields, the Chairman of the
(Name) (Chairman/Treasurer)
Committee to Elect Brad Shields
(Name of the Committee)

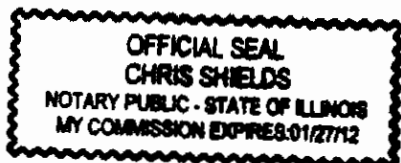
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Since inception of this committee, we were receiving mailed forms with dates of completion within the package. When I moved, they sent the forms to the wrong address and I never received them to fill out and send in. (1st offense) I was informed that there was an e-mail option to receive the forms to prevent this from happening in the future. I signed up for that option and still did not receive the forms over e-mail this time. (2nd offense) I did update my address with them after the 1st offense. The first time I was informed about the lack of filing was when I received the letter stating that I was late for this filing. I've received other mailings since notifying me of the fines being assessed due to my 1st and 2nd offenses. It is very difficult to fill out and have delivered forms that were never received. Each time that I received the paperwork through the mail, it was filled out completely and sent in on time. It's disconcerting to me that this committee is being penalized for not filing on time when both instances were due to not receiving the paperwork from the Board of Elections. I'm requesting that both offenses be expunged from this committee's record and request that the Board of Elections return this committee's filing notification back to mailed paperwork, as that was the only reliable method in the past for this committee. Thank you for your consideration.

Signed and Sworn to by:

Chris Shields
before me this 23rd Day of
September, 2011
Chris Shields
Notary Public

Brad Shields
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 MA 078

Citizens to Elect Richard Wooten
Cmte ID: 23114
Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment

For Delinquently Filing the March 2011 and June 2011 Quarterly Reports of Campaign Receipts and Expenditures and Delinquently Filing Schedule A-1s

The March 2011 Report was received on June 15, 2011, 42 days late, resulting in an assessment of \$1050. The June 2011 Report was received on July 18, 2011, 10 days late, resulting in an assessment of \$500. Meantime, the Committee failed to file Schedule A-1 Reports for a pair of contributions, each for \$10,000, from Wooten Protective Services, dated January 5, 2011, and January 18, 2011. The Reporting of said donations first occurred on June 15, 2011. They were received 105 and 97 days late, respectively, resulting in a total assessment of \$1000. In total, the Committee is facing an assessment of \$2550 from the above listed matters.

Venus Banks, the Treasurer of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Banks said the Committee had no knowledge of the statutory Schedule A-1 requirement and indicated the Committee did not receive the required advance notice that the Quarterly Reports in questions were due.

I recommend the appeal be denied for lack of an adequate defense. In a follow-up phone conversation, Ms. Banks acknowledged the Committee's mailing address listed with the Board is accurate. Board records indicate the statutorily-required notice of the Reports was sent in each case by Board staff to that mailing address. Meantime, the defense offered with respect to the failure to file Schedule A-1 Reports is inadequate. If the Board accepts this recommendation, a total of \$2550 would be due and owing. As of September 30, 2011, the Committee's cash balance was reported as \$0.00.

John Levin – Hearing Officer
October 3, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens to Elect Richard Wooten
547 E 75th St
Chicago, IL 60629-2230

ID# 23114

Dear Citizens to Elect Richard Wooten:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type: Quarterly Report of Campaign Contributions and Expenditures
Report Period: January 1, 2011 through March 31, 2011
Filing Period: April 1, 2011 through April 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on June 15, 2011, 42 day(s) late. As such, this committee has been assessed a fine of \$1050.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type: Quarterly Report of Campaign Contribution and Expenditures
Report Period: April 1, 2011 through June 30, 2011
Filing Period: July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 18, 2011, 10 day(s) late. As such, this committee has been assessed a fine of \$500. The total for all new assessments is \$1550.

In addition, this committee failed to timely file the Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Wooten Protective Services	1/5/2011	\$10000	*	105	\$5000
Wooten Protective Services	1/18/2011	\$10000	*	97	\$5000

The committee is fined a **total** of \$10,000 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines. Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

The committee is fined a **total** of \$10,000 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines. Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1000, (10% of the total fine amount reflected above) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by American Express, MasterCard, or Discover.

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,



Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosure(s): appeal packet

* This contribution was reported on the June Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)
County of COOK)

11 SEP 22 AM 10:57

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens to Elect Richard Wooten)
Respondent(s).)

Case No. 11MA078

APPEAL AFFIDAVIT

I, Venus Banks, the Treasurer of the
(Name) (Chairman/Treasurer)
Citizens to Elect Richard Wooten
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

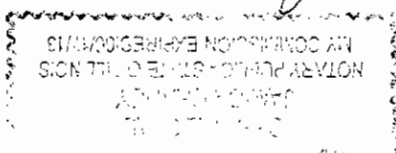
We was told that an A-1 form should
have been filed for the contribution, but
we had no knowledge of this. We
was told that we should have received

a packet with this information but never received
it. We will like to know what address the packe
went to, if possible also.

Signed and Sworn to by:
J. Chaney
before me this 19 Day of
Sept, 2011

Jamie Chaney
Notary Public

Venus Banks
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 JQ 227

Citizens for Dennis M Fleming
Cmte ID: 18007
Respondent

REPORT OF HEARING OFFICER


Appeal of Civil Penalty Assessment
For Delinquently Filing the June 2011 Quarterly Report of Receipts and Expenditures

The Report was received on August 3, 2011, 13 days late, resulting in an assessment of \$650. The Committee was previously assessed \$50 (not appealed, stayed) for delinquently filing the June 2010 Semi-Annual Report.

Elizabeth A. Fleming, the Chairwoman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Ms. Fleming acknowledged the delinquent filing of the Report. She listed mitigating factors including that she mistakenly believed the Report could be filed on paper when, in fact, the Committee was required to file electronically, she is not a professional politician nor campaign chairwoman, she is employed full-time as a nurse and nursing teacher and did not have the ability to file from the State Board of Elections' offices, her computer "did not have access to the software" needed to file electronically, no transactions occurred during the Reporting period in question, and the Committee did not intend to hide campaign transactions.

I recommend the appeal be denied for lack of an adequate defense. I appreciate the defense offered and believe there was no intent to deceive, but the Committee had ample time to avail itself of the assistance of Board staff in attempting to file its Report electronically. The Committee has filed electronic Reports since 2004. If the Board accepts this recommendation, the stay on the assessment for the delinquent June 2010 Semi-Annual Report would be lifted, and a total of \$700 would be due and owing. As of June 30, 2011, the Committee's cash balance was reported as \$931.85.



John Levin – Hearing Officer
October 3, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.D. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Dennis Fleming
Elizabeth Fleming, John Fleming
6607 N. Lightfoot Ave
Chicago, IL 60646

ID# 18007

Dear Citizens for Dennis Fleming:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on August 3, 2011, 13 days late. As such, this committee has been assessed a fine of \$650.

Enclosed, please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. *Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by October 1, you forfeit the right to contest this assessment.*

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
January 1 through June 30, 2010	Semi-Annual	\$50
TOTAL AMOUNT NOW DUE		\$700

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

If you have any questions regarding the appeal process, please call Jennifer Roninious at 217-782-1543.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Steward".

Sharon Steward, Director, Campaign Disclosure Division

SS: jr

CHICAGO

11 SEP 15 PM 3:33

STATE BOARD OF ELECTIONS

STATE OF ILLINOIS)
)
COUNTY OF COOK)

BEFORE THE STATE BOARD OF ELECTIONS OF
THE STATE OF ILLINOIS

IN THE MATTER OF)
ILLINOIS STATE BOARD OF)
ELECTIONS,)
)
 Complainant,)
)
 vs.)
)
CITIZENS FOR DENNIS FLEMING)
)
 Respondent.)

11 JQ 227

A F F I D A V I T

ELIZABETH A. FLEMING after first being duly sworn on her oath
states and deposes as such:

1. That she is the spouse of the former candidate for
Judge, Dennis M. Fleming and is the chairman of the Committee
Citizens For Dennis M. Fleming.

2. This Committee was formed to raise funds for the
candidate's pursuit for the Democratic nomination for a vacancy in
the 9th Judicial Subcircuit in the March, 2010, primary.

3. That at its peak this Committee raised over \$20,000
and has spent all but a few hundred dollars. I do not have the
documents to establish the exact amount remaining but it is less
than the proposed fine.

4. That I am not a professional politician or campaign
chairman and believed that the report for the January 1 through
June 30, 2010, report was allowed to be filed in writing. There
was no intent to not file that report on time.

5. That with respect to this late filing on August 13,
2011, I cannot dispute the filing was late. It was filed 13 days
late and showed no action in receipts or expenditures from this
Committee.

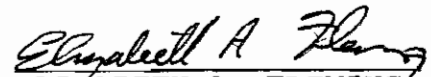
6. That this Committee had the intent to file this report on time but when it attempted to do so electionally within the time frame for filing, our computer did not have access to the software needed to be able to do this filing.

7. That I am a full-time nurse who also teaches nursing class and did not have the ability to go downtown to the State Board of Elections.

8. That my husband is a full-time practicing attorney who does not have an office downtown and was unable to file the report until it was 13 days late.

9. That the amount of the fine in comparison to the total amount raised and the amount left in the funds of the Committee is arbitrary and does not reflect the purpose of these reporting laws. No money was spent and no new contributions were received. There was nothing to report.

10. That this Committee has never had an intent to hide campaign contributions and expenditures from the State Board of elections of the public at large and the 13 day delay on filing this report did not hide campaign contributions or expenditures.


ELIZABETH A. FLEMING

SUBSCRIBED and SWORN TO before
me this 14 day of
September, 2011.


NOTARY PUBLIC



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 AM 123

Egan Forward 43 22805

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquent Filing
A Schedule A-1 for the 1st Quarter of 2011

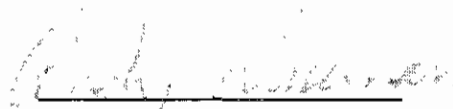
This Committee received a \$1,000 contribution on 1/1/11, a \$3,000 contribution on 3/21/11, and a \$5,077.50 contribution on 3/27/11, and reported these contributions on Schedule A-1s filed on 1/25/11 (11 days late), 4/11/11 (13 days late), and 3/31/11 (2 days late) respectfully. The total assessment is \$4,539.

Enrique Lopez, the treasurer of the Committee, appeared at the 9/13/11 appeal hearing.

Enrique Lopez indicated that he and others in the Committee struggled with the electronic filing program. The Committee keeps the file on a network rather than a single PC and they have multiple people doing the data entry into the IDIS program. Mr. Lopez stated that the way the program is saved is rather confusing. The user can save the material but he does not get to choose the name that the file is saved under. The next user then has to try to figure out the file and the Committee really had a problem with this. Mr. Lopez also stated that when the data entry was being entered that the Committee didn't always file a Schedule A-1 on that day. The Committee sometimes waited to file a Schedule A-1, so they could put multiple contributions on one report. Mr. Lopez indicated that the three contributions that they were assessed on are three contributions that were entered into the program at the time of the deposit, but somehow were removed from the program. The Committee only realized that these contributions were not filed on a Schedule A-1 after they double checked their records and realized that the contributions had disappeared from the program. Mr. Lopez said that this was a problem and it happened on more than one occasion. He also stated that the Committee logged more than \$300,000 of receipts correctly and filed those contributions appropriately.

IDIS 2.0 is a single user program and it is not network aware. What this means is that the program was written to be used on a single PC and it was not setup to function on a network. The Committee chose to run the program on a network and the problem they ran into was that they had multiple people doing the data entry and it sounds like they did not always open the correct backup file. In fact, Mr. Lopez indicated during the hearing that the Committee had used the wrong file multiple times. This is the only way the program would have acted in the fashion that Mr. Lopez described. Basically what appears to have happened is that one data entry person opened file 1, entered a few contributions and instead of filing the

Schedule A-1 they saved the file. When the program was saved it created file2. The second or next data entry person then instead of using file2 opened up file1 and started entering additional data and then potentially filed the Schedule A-1 from the data they entered or they would have at least saved the file. When the program would have been saved a file3 would have been created. One would assume the next person would have opened up file3 and started entering additional data. The problem is that the data the first person entered therefore would not have been included in file3 because the second data entry person opened up file1 instead of file2. If this is what happened and this is the only logical explanation of what could have happened then the Committee must have done this on 3 separate occasions. I do not believe this would qualify as an electronic filing defense because the Committee would have had to open the wrong file to create this problem. I therefore recommend the appeal be denied for a lack of an adequate defense. In addition, since there is no indication that these violations were anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$454. If this recommendation is accepted by the Board the civil penalty of \$454 will be due and owing. (As of 6/30/11, this committee reported a funds available balance of \$32,754.47.)



Andy Nauman – Hearing Officer
September 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Egan Forward 43
Tim Egan
28 E Division St
Chicago, IL 60610-2317

ID# 22805

Dear Egan Forward 43:

This committee has failed to file the following Schedule A-1's. Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
IL Center Clinical Research	1/1/2011	\$500	\$1000	1/25/2011	11
Citizens for Riley	3/27/2011	\$2539	\$5077.50	3/31/2011	2
BOMA/Chicago PAC	3/21/2011	\$1500	\$3000	4/11/2011	13

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$3789 for delinquently filing Schedule A-1 reports. This total ***does not*** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$454. (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

State of Illinois)
)
County of COOK)

CHICAGO

11 JUL 28 AM 11:49

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
)
ILLINOIS STATE BOARD OF ELECTIONS,)
)
Complainant)
)
Vs.) Case No. 11 AM 123
)
EGAN FORWARD 43)
Respondent(s).)

APPEAL AFFIDAVIT

I, ENRIQUE LOPEZ, the TREASURER of the
(Name) (Chairman/Treasurer)

EGAN FORWARD 43

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

COMMITTEE EXPERIENCED VARIOUS DIFFICULTIES ON MULTIPLE OCCASIONS

IN BEING ABLE TO TRANSMIT FILINGS ELECTRONICALLY. COMMITTEE

ATTEMPTED FILINGS AND FILINGS APPEARED COMPLETE BUT DID NOT

BECOME AWARE OF DISCREPANCIES UNTIL SEVERAL DAYS LATER AT WHICH

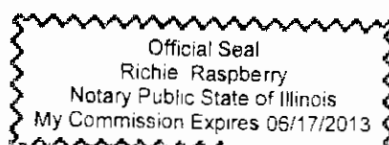
POINT CORRECTIVE ACTION WAS TAKEN IMMEDIATELY

Signed and Sworn to by:

before me this 28 Day of
July, 2011

Richie Raspberry
Notary Public

(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 AJ 038

Citizens for Jim Langfelder
Cmte ID: 12048
Respondent

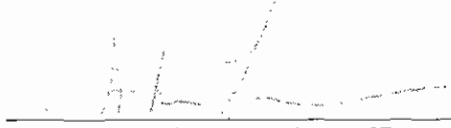
REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment
For Delinquently Filing Schedule A-1 Reports

The Reports were received July 12, 2011, 34 days late, in connection with two donations received on May 16, 2011 – one, from IBEW Local Union #193, in the amount of \$1550; the other, from Crowder Corporation, in the amount of \$1000. This resulted in a total assessment of \$128. The Committee was previously assessed \$50 (not appealed, stayed) for delinquently filing the June 2009 Semi-Annual Report.

James O. Langfelder, the Candidate and Chairman of the Committee, filed a Waiver of Appearance and an Appeal Affidavit in this matter.

On the Affidavit, Mr. Langfelder acknowledged the delinquent filing of the Reports. He said he did not realize the Act had changed as of January 1, 2011, and now required A-1 filings for receipts of \$1000 or more year round. He said there was no willful intent on the part of the Committee.

I recommend the appeal be denied for lack of an adequate defense. Mr. Langfelder is to be commended for his honesty. The rules accompanying the Act allow for a substantial reduction of the assessment for first time offenders, as is the case here. If the Board accepts this recommendation, the stay on the assessment for the delinquent June 2009 Semi-Annual Report would be lifted, and a total of \$178 would be due and owing. As of June 30, 2011, the Committee's cash balance was reported as \$19,911.12.



John Levin – Hearing Officer
October 4, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Jim Langfelder
Mark Ginster
1101 Paddock Ln
Springfield, IL 62712

ID# 12048

Dear Citizens for Jim Langfelder:

This committee has failed to timely file the following Schedule A-1's. Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
IBEW Local Union #193	5/16/2011	\$1550	7/12/2011	34	\$775
Crowder Corporation	5/16/2011	\$1000	7/12/2011	34	\$500

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$1275 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$128, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

<u>Reporting Period</u>	<u>Report Type</u>	<u>Previous Fine Amount</u>
January 1 through June 30, 2009	Semi-Annual	\$50
TOTAL AMOUNT NOW DUE		\$178

State of Illinois)
County of _____)

11 SEP 23 PM 2:59

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens for Jim Langfelder)
Respondent(s).)

Case No. 11A7038

APPEAL AFFIDAVIT

I, James C. Langfelder the Chairman of the
(Name) (Chairman/Treasurer)
Citizens for Jim Langfelder
(Name of the Committee)

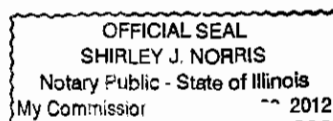
Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

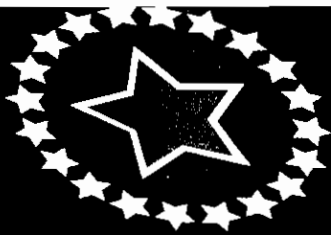
See attached letter

Signed and Sworn to by:

before me this 23rd Day of
September 2011
Shirley J. Norris
Notary Public

James C. Langfelder
(Signature of Chairman/Treasurer)





JIM LANGFELDER

SPRINGFIELD CITY TREASURER

A Sound Investment for Springfield's Future

September 22, 2011

Attn: Campaign Disclosure
1020 S. Spring Street
Springfield, Illinois 62704

Regarding Delinquent A-1 Filing ID# 12048

Dear Hearing Officer,

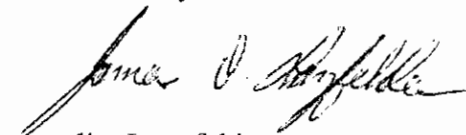
I am asking to reconsider the fine assessed for the first time offense of delinquent filing of a Schedule A-1. Up until January 1, 2011 the filing process utilized was in compliance. Unfortunately I did not realize that the expedited A-1 filing was extended from not only 30 days before an election but now is in effect throughout the year. The delayed filing was an honest mistake with no violation intended.

On May 16, 2011 my Committee, Citizens for Jim Langfelder, held a Golf Outing in which I received two contributions that qualified for the new A-1 filing threshold (\$1,000 and \$1,550). Still operating under the Pre-January 1, 2011 guidelines, I filed the A-1 along with my Semi-Annual/Quarterly Report on July 12, 2011.

My Committee, Citizens for Jim Langfelder, was established in 1996, and this is the first delinquent Schedule A-1 filing. The delayed filing was an honest oversight with no willful intent. Under Section 125.425, *Civil Penalty Assessments*, 5, C states that in cases of negligent or inadvertent violations, the Board may waive the fine. I am asking for your mercy and ask that you waive this first delinquent Schedule A-1 filing offense fine.

If you have questions, please call me at (217) 691-5708. Thank you for your time and consideration.

Sincerely,



Jim Langfelder

Citizens for Jim Langfelder

P.O. Box 232 Springfield, IL 62705

177

A copy of our report filed with the Sangamon County Clerk is (or will be) on file from the office of the Sangamon County Clerk, Springfield, Illinois

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 JQ 201

Friends of Artis Yancey ID# 23706

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 21, 2011, 4 days late, resulting in a civil penalty assessment of \$100.

Mark Stricklin, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Stricklin states that he filed the Committee's Statement of Organization in late June, and was waiting for confirmation of that filing as well as the Committee's identification number. Mr. Stricklin says he did not realize that filing that form started the PAC, and adds that the Committee did not reach the \$3,000 threshold requiring it to file. He says he was filing ahead of time in order to be ready.

The Quarterly Report filed by the Committee shows that it did in fact exceed \$3,000 in contributions during the reporting period. Therefore, the Committee was required to file the Statement of Organization and Quarterly Report. Additionally, having served as the Treasurer of his own political committee for many years, Mr. Stricklin should have been aware of the filing requirements. I recommend the appeal be denied for lack of an adequate defense. As a first violation, the \$100 civil penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$1,256.53.)



Tom Newman – Hearing Officer
September 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

Friends of Artis Yancey
Mark Stricklin
37571 N Lake Crest
Beach Park, IL 60087

ID# 23706

Dear Friends of Artis Yancey:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 21, 2011, 4 days late. As such, this committee has been assessed a fine of \$100.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of Lake)

11 SEP 12 PM 1:42

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS.)

Complainant)

Vs. Friends of)

Artis Yancey)
Respondent(s).)

Case No. 113Q 201

APPEAL AFFIDAVIT

I, MARK STRICKLIN, the TREASURER of the
(Name) (Chairman/Treasurer)
Friends of Artis Yancey
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

I Filed the committee D1 statement
on 6/28/11. I was waiting for confirmation &
our ID#. I didn't realize that the date Filed
was the date of start of the PAC. We did not
reach the 3,000.00 threshold, I was filing ahead
of that time & be ready

Signed and Sworn to by:

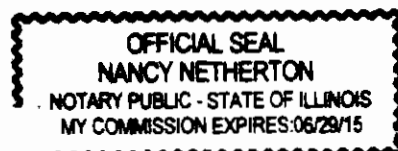
Mark Stricklin

before me this 8th Day of

September, 2011

Nancy Netherton
Notary Public

Mark Stricklin
(Signature of Chairman/Treasurer)



STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11 DS 299

Citizens for Scordato (ID 21595)
Respondent

REPORT OF HEARING OFFICER

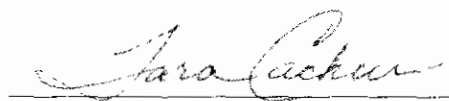
Appeal of Civil Penalty Assessment for Delinquently
Filing the 2010 December 2010 Semi-Annual Report

The Report was received on April 14, 2011, 58 days late, resulting in a civil penalty assessment of \$2,900. In addition, the Committee was previously assessed a \$200 civil penalty (not appealed, stayed) for delinquently filing the 2009 December Semi-Annual Report. The total assessment is \$3,100.

Peter Scordato appeared on August 9, 2011 for the Appeal Hearing.

Mr. Scordato stated he ran for Alderman in Rockford in 2009. After losing the election in November 2010 he closed out his bank account. In November, while attempting to file a Final report, Scordato discovered an error in IDIS. The funds available at the end of the reporting period showed a figure in excess of \$1,000. He enlisted the help of Board staff but the discrepancy remained. He attempted to file a Final and all amended reports in December and February. More difficulty with the IDIS software led him back to Staff support. After some time, he discovered the error was due to an entry in his first report from 2009. On April 14, 2011 he filed amendments and final report with help from Board Staff. Scordato stated he waited to file the Final report until it was correct, he did not want to be responsible for filing a false or inaccurate report. He could not file a correct report until he was able to locate the error, which was found only after several conversations with staff.

Based upon Mr. Scordato's statements in the hearing, two issues occurred that prohibited the timely filing of the 2010 December Semi-Annual Report; operating the IDIS software and attempting to avoid filing a false report. I believe Mr. Scordato made several attempts to file the reports. Rather than file a D-2 he knew to be erroneous, he waited until to correct all problems and file an honest report. I understand the Committee's situation; however, it appears Mr. Scordato relied on Board staff to complete the reports. Also, the amount of time taken to file an accurate report seems excessive. In the hearing, Mr. Scordato indicated he was unable to file electronic reports independent of staff assistance every time he filed. There are a number of instruction materials and IDIS classes available for committees designed to better educate treasurers. Ultimately accounting errors and navigating IDIS are responsibilities of the committee's treasurer, not board staff. I recommend the appeal be denied. If this recommendation is accepted by the Board, the stay will be lifted from the previously assessed \$200 and the total amount due is \$3,100. In addition, since the Committee filed a Final Report on April 14, 2011, I further recommend that the assessment will be abated two years following the effective date of the Final Board Order if the committee remains dissolved until that time without forming a successor committee pursuant to Rules and Regulations 100.110(b). (As of April 14, 2011 this committee reported a funds available balance of \$0)



Tara Cachur - Hearing Officer

August 22, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Citizens for Scordato
Peter Scordato
5946 Weymouth Dr
Rockford, IL 61114

ID# 21595

Dear Citizens for Scordato;

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 14, 2011. 58 days late. As such, this committee has been assessed a fine of \$2900.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. *Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.*

If the above listed violation is not appealed and since this is a subsequent violation the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days:

Reporting Period	Report Type	Previous Fine Amount
July 1, 2009 to December 31, 2009	Semi-Annual	\$200
TOTAL AMOUNT NOW DUE		\$3100

If you have any questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s) appeal documents

State of Illinois)
County of _____)

11 JUN 17 PM 2:13

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
Citizens For Scordato)
Respondent(s).)

Case No. 11 DS 299

APPEAL AFFIDAVIT

I, Peter Scordato, the Chairman/Treasurer of the
(Name) (Chairman/Treasurer)
Citizens For Scordato
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

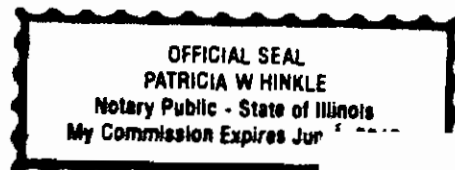
Please see attached letter.

Signed and Sworn to by:

Patricia W. Hinkle
before me this 15th Day of
June, 2011

Patricia W. Hinkle
Notary Public

Peter Scordato
(Signature of Chairman/Treasurer)



11 DS 299

June 15, 2011

Citizens for Scordato
5946 Weymouth Dr
Rockford IL 61114

State Board of Elections
Campaign Disclosure Division
Sharon Steward, Director
1020 South Spring Street
Springfield IL 62708

Dear Sharon,

I deeply apologize for being late filing the Semiannual Report for Citizens for Scordato in report period ending December 31, 2010. It is entirely my fault for not being able to navigate the IDIS software program. I have always needed phone assistance filing every report that I have filed on time or not. Once I decided to close the committee it was even more burdensome because of a mistake from the beginning.

Please accept my apologies with the following explanation and I ask that you dismiss the penalty after reviewing my appeal.

First I would like to say that electronic filing is a very useful tool however the IDIS software was rather cumbersome for me to understand and use. For all of my filings I relied on phone assistance with either the Chicago or Springfield office. I found the Springfield office to be more available and helpful. However, this still meant finding business hours to file a report while on the phone for anywhere from 15 minutes to about an hour. On some occasions I was unable to get through in a timely manner and gave up for another day. I regret that my busy schedule left me with few days to file using phone assistance.

I decided to close out the campaign so I wouldn't have to keep up with the filing requirements. I closed out my account in November of 2010 and transferred the money to another local campaign. I tried to file a final report in November but we found that there was a discrepancy in one of the earlier reports.

It seemed as though I listed the beginning balance as \$1,000.00 and also listed where the money had come from. As much as I can figure out this put my balance as two thousand when in fact it was only one thousand. I still don't know why we don't report where the

beginning balance comes from but I guess that is the way it is. So I could not file a final report until I amended a previous report.

In late December 2010 I tried again to file a final report but could not figure out how to amend and what exact reports to amend. With telephone assistance for over 30 minutes we could not figure out what to do and avoid another report filing going into the new year. During one of the phone calls to the telephone support at the campaign disclosure department a lady said she would personally help and call me back when she had figured it out. I never heard from her again about the situation.

The January and February of 2011 months were very busy for me however several attempts to amend the reports were unsuccessful without telephone support. I had received your correspondence notifying me of late filing and to the best of my ability I could not navigate through IDIS to correct the mistakes and file the report. On February 27th I wrote a letter to you indicating my dilemma and I received a response from Tom Newman in a letter dated March 7th.

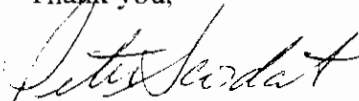
On April 14 I was on the phone for about one hour and Tom Newman and I were able to amend four different reports dating back to January of 2009 and file an additional three reports including the semi-annual report ending December 2010 and the final report.

This is the chronological order of events that details my attempts and failure to meet the filing requirements. I again sincerely apologize and hope that you can see that my intent was sincere and that there is no intentional misrepresentation of the campaign funds. This is a deadline filing failure during a time when there was no participation in any elections.

I would ask again very graciously that you could forgive the penalty.

Please find enclosed the required documents for an appeal and request for a hearing (Springfield) but disregard these if you are able to waive the penalty administratively.

Thank you,

A handwritten signature in cursive script, appearing to read "Peter Scordato".

Peter Scordato

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 JQ 146

Jessica O'Brien for Judge Committee ID# 22487

Respondent

REPORT OF HEARING OFFICER

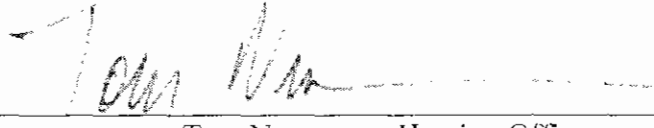
Appeal of Civil Penalty Assessment for Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 19, 2011, 2 days late, resulting in a civil penalty assessment of \$50.

Ronald Forman, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Forman states that he was unaware the filing deadline for reports had changed in 2011 to the 15th day of the month following the end of the reporting period. Mr. Forman says he filed the Report on July 19, thinking the filing deadline was still July 20th.

I recommend the appeal be denied for lack of an adequate defense. As a first violation, the penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$500.)



Tom Newman – Hearing Officer
September 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Jessica O'Brien for Judge Committee
Ronald Forman
4601 W Touhy Ave, #306
Lincolnwood, IL 60712

ID# 22487

Dear Jessica O'Brien for Judge Committee:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 19, 2011, 2 days late. As such, this committee has been assessed a fine of \$50.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of Cook)

CHICAGO

11 SEP -8 PM 2:50

STATE BOARD OF ELECTIONS

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11 JQ 146

Jessica O'Brien for Judge Committee)

Respondent(s).)

APPEAL AFFIDAVIT

I, Ronald Forman, the Treasurer of the
(Name) (Chairman/Treasurer)

Jessica O'Brien for Judge Committee
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

See Attached

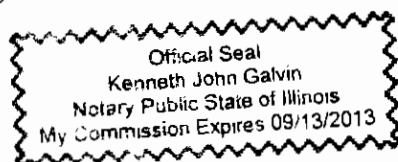
Signed and Sworn to by:

RONALD FORMAN
before me this 17th Day of

September, 2011
Kenneth John Galvin
Notary Public

Ronald Forman

(Signature of Chairman/Treasurer)



Jessica O'Brien for Judge Committee
Appeal Affidavit
Case No. 22487

I was unaware that the filing deadline for the quarterly form D-2 had changed from the 20th day of the month after the end of the quarter to the 15th day of the month after the end of the quarter. Reporting periods for form D-2 changed from semi-annual in 2010 to quarterly in 2011. The form D-2 was due on Friday July 15, 2011 for the quarter ending June 30, 2011. I filed the required form on Tuesday July 19, 2011; two days after the reporting deadline and one day prior to July 20th, the day I thought was the deadline. Our committee has complied with all other filing requirements. I was told by Board of Election personnel that this has been a common mistake. I have been diligent in trying to comply with all the elections filing requirements imposed on our committee. I am now aware of the new deadline and will comply with this deadline in the future.

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

v.

11 AM 163

Illinois Interior Design Coalition
Respondent ID# 4250

REPORT OF HEARING OFFICER

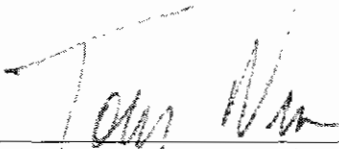
Appeal of Civil Penalty Assessment for Failure to File Schedule A-1 Reports

The Committee received a total of eight contributions: \$1,445 on 1/24/11, \$1,500 on 1/24/11, \$3,000 on 2/4/11, \$1,500 on 2/14/11, \$1,630 on 2/14/11, \$1,000 on 2/14/11, \$3,000 on 3/4/11 and \$1,000 on 3/18/11, but failed to report any of these on a Schedule A-1, resulting in a civil penalty assessment of \$7,038.

Cheryle Rome, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Rome states that the first contribution, totaling \$1,445 from C Rome Design, was not actually a single contribution. She says that total was made up of a collection of donations from a raffle that were combined so they could be sent as a single check. Ms. Rome continues that for the \$1,630 received on 2/14/11, the contribution was for a collection of multiple credit card payments, only one of which was for \$1,000, with the rest making up the remainder of the total. Finally, Ms. Rome states that the failure to file the other A-1s was a result of the organization's accountant neglecting to inform the Treasurer that reporting laws had changed in 2011. She says she was unaware of the A-1 filing requirement for contributions of \$1,000 or more.

In regards to the \$1,445 contribution, an A-1 should have been filed regardless of the nature of the contribution. Section 9-8.5(i) of the Disclosure Act allows corporations to act as a conduit in delivering contributions to a political action committee, but only for "*contributions made through dues, levies or similar assessments.*" Money raised through a raffle would not qualify under this section. Therefore, the contribution was correctly reported on the Committee's Quarterly Report as coming from C Rome Design, and a Schedule A-1 should have been filed for the contribution. In regards to the \$1,630 contribution on 2/14/11, an A-1 should also have been filed, since Ms. Rome admits the total included a \$1,000 contribution. Finally, although the Committee may assign the blame for failure to file A-1s on the organization's accountant, it is ultimately the Committee's responsibility to ensure all required disclosures are timely filed. Ignorance of the law is not an excuse. For these reasons, I recommend the appeal be denied for all eight contributions. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this is the first set of A-1 violations for this Committee, I recommend the civil penalty be reduced to 10% of the original assessment, or \$704. If these recommendations are accepted by the Board, the \$704 civil penalty will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$6,860.82.)



Tom Newman – Hearing Officer
September 28, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Illinois Interior Design Coalition
Derick Miller
c/o Perkins & Will, 330 N Wabash Ave
Chicago, IL 60611

ID# 4250

Dear Illinois Interior Design Coalition:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
C Rome Design	1/24/2011	\$1445	*	62	\$723
Clune Construction	2/14/2011	\$1500	*	48	\$750
IIDA IL Chapter	2/4/2011	\$3000	*	43	\$1500
IIDA IL Chapter	2/14/2011	\$1630	*	48	\$815
Parkins & Will	2/14/2011	\$1000	*	48	\$500
Shaw Contract Group	3/4/2011	\$3000	*	41	\$1500
Teknion	3/18/2011	\$1000	*	26	\$500
Whitney	1/24/2011	\$1500	*	62	\$750

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$7038 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$704, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

State of Illinois)
County of Cook)

11 SEP -9 AM 10:23

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS.)
Complainant)
Vs.)
ILLINOIS INTERIOR DESIGN COALITION)
Respondent(s).)

Case No. 11 AM 163

APPEAL AFFIDAVIT

I. CHERYLE ROME, the TREASURER of the
(Name) (Chairman/Treasurer)
ILLINOIS INTERIOR DESIGN COALITION
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1.) ITEM #1 CRONE DESIGN \$1445 WAS NOT A SINGLE CONTRIBUTION. IT WAS A COLLECTION OF CASH DONATIONS FROM A RAFFLE THAT WERE COMBINED SO AS TO BE SENT AS A SINGLE CHECK.

ITEM #4 WAS A SINGLE CHECK WHICH WAS FOR A COLLECTION OF CREDIT CARD PAYMENTS, ONLY ONE FOR \$1000, THE REST LESS THAN. MULTIPLE

2.) THE ORGANIZATION'S ACCOUNTANT NEGLECTED TO INFORM THE TREASURER THAT THE REPORTING LAWS HAD CHANGED THIS YEAR AND THE TREASURER WAS UNAWARE THAT WE WERE REQUIRED TO FILE DAYS AFTER RECEIPT OF CONTRIBUTIONS. I WAS ONLY AWARE OF QUARTERLY REPORTS. OUR ACCOUNTANT ONLY ASKED FOR THE QUARTERLY REPORTS.

Signed and Sworn to by:
America Gonzalez
before me this 10th Day of
September, 2011
America Gonzalez
Notary Public

Cheryle Rome
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 MA 023

Orland Professional Firefighters IAFF Local 2754 (ID 22745)

Respondent

REPORT OF HEARING OFFICER

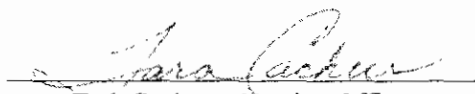
Appeal of Civil Penalty Assessment for Delinquently
Filing the 2010 June Semi-Annual Report and
The 2010 December Semi-Annual Report

The 2010 June Semi-Annual Report was received April 25, 2011, 190 days late, resulting in a civil penalty assessment of \$4,750. The 2010 December Semi-Annual Report was received April 25, 2011, 65 days late, resulting in a civil penalty assessment of \$3,250. The total assessment is \$8,000.

George Schick, Treasurer for the committee, was teleconferenced for the Appeal Hearing on August 25, 2011.

Mr. Schick stated the committee supported local candidates in elections years 2008 and 2011. The committee was inactive during the 2010 election cycle. Schick was under the impression the Committee did not have to file reports if there was no activity. He indicated he submitted the committee's filings with the IRS and thought that would be sufficient until the committee became active again. Schick received the citing notices from the Board and he filed the required reports immediately. The committee filed a final Report on April 25, 2011.

I recommend the appeal be denied. It is the responsibility of the Treasurer to honor campaign disclosure rules and regulations which mandate active committees file reports until it officially ceases operations. Committees which mistake inactivity for finalization are not exempt from the State Board of Election's Rules and Regulations. If this recommendation should be accepted by the board, the \$8,000 will be due and owing. In addition, since the Committee filed a Final Report, I further recommend that the assessment will be abated two years following the effective date of the Final Board Order if the committee remains dissolved until that time without forming a successor committee pursuant to Rules and Regulations 100.110(b). (As of April 25, 2011 this committee reported a funds available balance of \$0).


Tara Cachur – Hearing Officer
August 31, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T Borgsmiller
June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Orland Professional Firefighters IAFF Local 2754 ID# 22745
Dean Milenkovic, George Schick
PO Box 648
Orland Park, IL 60462

Dear Orland Professional Firefighters IAFF Local 2754:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	January 1, 2010 through June 30, 2010
Filing Period:	July 1, 2010 through July 20, 2010

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on April 25, 2011, 190 day(s) late. As such, this committee has been assessed a fine of \$4750.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contributions and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 25, 2011, 65 day(s) late. As such, this committee has been assessed a fine of \$3250.

State of Illinois)
County of COOK)

STATE BOARD OF ELECTIONS

11 JUL -5 AM 11:18

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)
Vs.)
ORLAND PROFESSIONAL FIRE FIGHTERS)
Respondent(s).)

Case No. 11 MA 023

APPEAL AFFIDAVIT

I, GEORGE SCHICK, the TREASURER of the
(Name) (Chairman/Treasurer)
ORLAND PROFESSIONAL FIRE FIGHTER IAFF LOCAL 2754
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

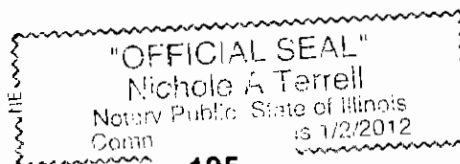
I DID NOT REALIZE REPORTS HAD TO BE SUBMITTED
WHEN THERE WAS NO MONEY IN THE FUND.

Signed and Sworn to by:

George Schick
before me this 29 Day of

July, 2011
Nichole A Terrell
Notary Public

(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

11 AM 026

Friends of John Pope (ID 14501)
Respondent

REPORT OF HEARING OFFICER
Appeal of Civil Penalty Assessment for
Failing to File Schedule A-1 Reports

The Committee received 23 contributions of more than \$1,000 but failed to electronically file Schedule A-1 Reports resulting in a civil penalty assessment of \$22,850. In addition, this Committee was previously assessed a \$200 civil penalty (not appealed, expired) for delinquently filing a Schedule A-1 for the 1999 GP, a \$100 civil penalty (not appealed, expired) for delinquently filing the 2006 December Semi-Annual Report, and a \$2,250 civil penalty (not appealed, paid) for delinquently filing the 2008 December Semi-Annual Report. The total assessment is \$22,850.00.

Attorney James Nally and Hannah Juber appeared on August 9, 2011 for the Appeal Hearing.

Mr. Nally stated the Committee filed the Schedule A-1 on paper proving an effort was made to file the documents timely. Ms. Juber stated the Committee used NGP software to electronically file the Schedule A-1 reports timely but when she checked the website no reports found. Ms. Juber then filed the contributions on a paper Schedule A-1 assuming the paper filing was sufficient. The Committee was sent an electronic filing notice on February 22, 2011. Ms. Juber stated the Committee's address changed and they never received the notice.

I recommend the appeal be denied for lack of an adequate defense. The Committee has been required to electronically file all reports since 1999. The committee failed to update the mailing address on an amended D-1, which is required to be filed within ten business days of any changes. However, since there is no indication the violations was anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$2,285. If this recommendation is accepted by the Board, a civil penalty of \$2,285 will be due. (As of 6/30/11 this committee reported a funds available balance of \$113,517.41)



Tara Cachur – Hearing Officer
August 22, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SB02
Complainant(s)

v.

Friends of John Pope
Respondent(s)

No: 11 AM 02.6

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S) or ☒ RESPONDENT(S)

Friends of John Pope
(insert name)

Check one: ☒ Attorney ☐ Pro Se

Name: James P. Wally PC

Address: 8 S Michigan #3501

City/State/Zip: Chicago IL 60603

Telephone: 312 422-5560

Fax No.: 312 346-7999

Email address: jprilow@att.net

Will you accept service of documents via FAX transmission? Check one: ☐ Yes ☐ No

[Signature]
Signature

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485

STATE OF ILLINOIS



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

~~May 13, 2011~~ June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Redhour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Friends of John Pope ID# 14501
Hana Jubeň
4317 W 81st St
Chicago, IL 60652

Dear Friends of John Pope:

As you have been previously notified, this committee failed to electronically re-file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Edward Burke	1/27/11	\$1000	\$1000	*	51
Cap-Land	1/27/11	\$3000	\$3000	*	51
Rodrigo Castaneda	1/27/11	\$1000	\$1000	*	51
Clifford Law Offices	1/27/11	\$5000	\$5000	*	
William Cullen	1/31/11	\$5000	\$5000	*	49
William Cullen	1/31/11	\$5000	\$5000	*	49
Diamond Coring Company	1/27/11	\$3000	\$3000	*	51
ELG Metals	1/7/11	\$1000	\$1000	*	61
ELG Metals	1/27/11	\$1000	\$1000	*	51
Era Valdivia Contractors	1/27/11	\$1000	\$1000	*	51
Erik Hansen	1/31/11	\$2500	\$2500	*	49
Linda Construction	1/27/11	\$1000	\$1000	*	51
James Malinowski	1/27/11	\$3000	\$3000	*	51
North Elston Fruits & Vegetables	1/27/11	\$1500	\$1500	*	51
Omnitrax	1/27/11	\$1500	\$1500	*	51
Ozinga Read Mix Concrete	1/27/11	\$1500	\$1500	*	51
Paket Corp.	1/27/11	\$1500	\$1500	*	51
Ralph Neri Sewer Service	1/27/11	\$1200	\$1200	*	51
The Dri-Rite Co.	1/27/11	\$1000	\$1000	*	51
Anthony Whitt	2/15/11	500	\$1500	*	39

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
James Wight	1/27/11	\$1500	\$1500	*	51
ASA of Chicago	1/27/11	\$1000	\$1000	*	51
The Burnham Committee	1/27/11	\$1000	\$1000	*	51

The committee is fined a **total** of \$45,700 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$2285, (5% of the total amount of contribution(s) reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you have any questions regarding the appeal procedure, please call Jennifer Ronimus at 217-782-1543.

Sincerely,



Sharon Steward
Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)
County of Cook)

STATE BOARD OF ELECTIONS

11 JUN 17 PM 3:33

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)
ILLINOIS STATE BOARD OF ELECTIONS,)
Complainant)

Vs.)
Friends of John Roper)
Respondent(s).)

Case No. 11AM024

APPEAL AFFIDAVIT

I, Harsh Tuber, the Treasurer of the
(Name) (Chairman/Treasurer)
Friends of John Roper
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

A-1's timely filed with state board on date 2/9. Committee
switched to new fundraising software that recorded information.

• Notice received at campaign office where mail was not
picked up / delivered on time.

Signed and Sworn to by:

Susan Loncar
before me this 17th Day of
JUNE, 2009
Susan Loncar
Notary Public

[Signature]
(Signature of Chairman/Treasurer)



STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

Vs.

10 AG 081

Citizens for Jeffrey L. Junkas (ID 22127)

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Failing to File
Schedule A-1 for the 2010 General Election

The Committee received two contributions exceeding \$500 within 30 days prior to the 2010 General Election, and failed to file a Schedule A-1 report, resulting in civil penalty assessment of \$22,500.

Attorney John Fogarty and candidate Jeffrey Junkas appeared on August 9, 2011 for the appeal hearing.

Mr. Jankus stated the \$20,000 contribution from the House Republican Organization was received on October 14, 2010 by wire transfer. This contribution was missed and was not reported on a Schedule A-1 report. Mr. Jankus stated that the \$2,500 contribution from Antonio Gracias was received via Pay Pal on October 24, 2010 however the transaction did not clear the bank until the day before the election. He stated that this contribution was mistakenly omitted on a Schedule A-1 report due to a lack of clarity regarding the date of receipt. Mr. Fogarty stated Mr. Jankus ran for State Representative of the 37th District in a high profile race; the committee received several contributions in excess of \$500 and filed all other receipts timely by a volunteer treasurer. Fogarty also noted the committee is in good standing with the Board.

It appears the Committee filed several Schedule A-1 reports timely. However the Respondent admitted contributions were accidentally not reported inadvertently. I recommend the appeal be denied. Since there is no indication the violation was anything other than inadvertent, I also recommend that the \$22,500 penalty be reduced to 10% of the original amount, or \$2,250. If this recommendation is accepted by the Board, the total amount due is \$2,250. (As of 6/30/11 this committee reported a funds available balance of \$ \$1,052.96)



Tara Cachur – Hearing Officer
August 22, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBE
Complainant(s)

v.

Citizens for Junkas
Respondent(s)

No: 10 AG 081

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S)

or

☒ RESPONDENT(S)

Citizens for Junkas
(insert name)

Check one: ☒ Attorney ☐ Pro Se

Name: Law Office of John Fogarty, Jr.

Address: 4043 N. Ravenswood, #226

City/State/Zip: Chicago IL 60613

Telephone: 773-549-2647

Fax No.: 773-681-7147

Email address: john@fogartylawoffice.com

Will you accept service of documents via FAX transmission? Check one: ☒ Yes ☐ No


Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Citizens for Jeffrey L. Junkas
P.O. Box 2385
Orland Park, IL 60462-1089

ID# 22127

Dear Citizens for Jeffrey L. Junkas:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
House Republican Organization*	10/14/2010	\$20,000	\$20,000		
Antonio Gracias*	10/24/2010	\$2,500	\$2,500		

The committee is fined a **total** of \$22,500 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$2250, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the Board has the discretion to take extenuating and other circumstances into account in determining the amount of your penalty.* Notice of Appeal must be filed within 30 days of the date of this assessment for it to be considered.

RECEIVED

JUL -5 2011

State of Illinois)
County of _____)

State Board of Elections

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

In The Matter Of)
Illinois State Board Of Elections,)
Complainant)

v.)

Citizens For Jeffrey L. Junkas,)

Respondent.)

No. 10 A-5081

APPEAL AFFIDAVIT

I, Jeff. Junkas, the Chairman of Citizens For
Jeffrey L. Junkas ("the Committee"), first being duly sworn, depose and state that I represent that
the Committee can offer a good reason or defense to the assessment of a civil penalty in this
matter, and that such reasons and defenses are:

1. As for the alleged House Republican Organization violation, said contribution
was made by wire transfer to the Committee, and the Committee inadvertently did not file an A-
1 for this wire transfer. As this contribution was made by wire transfer, there was some initial
confusion between the Candidate and the Committee's Treasurer as to when this transfer was
actually going to be made, and when the transfer was to hit the Committee's bank account.
Between waiting and checking for the wire to hit, and the wire actually hitting the Committee's
account, there was a misunderstanding between the Candidate and the Committee's Treasurer as
to getting the A-1 on file.

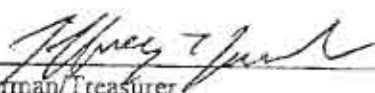
2. As for the alleged Antonio Gracias violation, said contribution was made via
PayPal, and the Committee inadvertently did not file an A-1 for this contribution. This

contribution was made by PayPal, and there was confusion as to when such a contribution is officially received, as PayPal provides a notice of contribution before the actual contribution hits the donee's account. As a result of this confusion, an A-1 was unfortunately not filed for this contribution.

3. Given the high amount of spending activity that took place during this campaign, which was high-profile and expensive for both candidates, the proper A-1 filings for these contributions were unfortunately missed, even though the Committee did timely and properly file numerous other A-1's during the course of the campaign. Any of the actions that are alleged to be violations were committed inadvertently, and without any intent whatsoever to violate the Campaign Finance Law.

4. In filing A-1s for numerous other contributions, and by reporting these contributions in any event on its semi-annual report, the Committee has demonstrated that it fully intended to comply with the Campaign Finance Law, and to live within the spirit of the Campaign Finance Law.

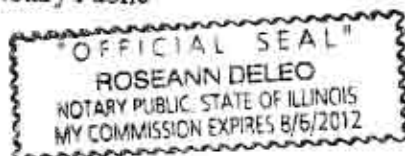
5. Affiant further sayeth not.


Chairman/Treasurer
Citizens For Jeffrey L. Junkas

Subscribed and sworn to before me
this 5th day of July, 2011.



Notary Public



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 JQ 136

Citizens for Snyder

ID# 21489

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
For Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 21, 2011, 4 days late, resulting in a civil penalty assessment of \$100.

Dana Sydney, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Sydney states that as a first violation, the Committee is hoping the civil penalty will be reduced or eliminated. He includes a previously sent letter, which indicates the late filing was an oversight on his part and notes that there was no financial activity in the Committee's account during the reporting period.

I recommend the appeal be denied for lack of an adequate defense. As a first offense, the civil penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$2,307.63.)



Tom Newman – Hearing Officer
September 20, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Citizens for Snyder
Dana C. Sydney
303 Delavan St
Lincoln, IL 62656-1605

ID# 21489

Dear Citizens for Snyder:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 21, 2011, 4 days late. As such, this committee has been assessed a fine of \$100.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)

County of LOGAN)

STATE BOARD OF ELECTIONS

7-115

11 SEP -2 AM 10:22

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11JQ 136

CITIZENS FOR SNYDER

Respondent(s).)

APPEAL AFFIDAVIT

I, DANA C SYDNEY, the TREASURER of the
(Name) (Chairman/Treasurer)

CITIZENS FOR SNYDER

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

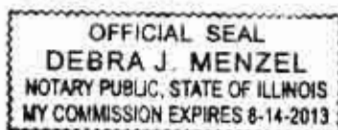
A LETTER WAS SENT BY STATE BOARD OF ELECTIONS
DATED 7/27/2011 STATING THAT THE CIVIL PENALTY
WOULD BE WAIVED, HOWEVER IT APPEARS THAT A FINE
HAS BEEN ASSESSED. SINCE THIS IS OUR FIRST TIME
AND ONLY TIME THIS WILL HAPPEN, WE ARE ASKING
THAT THE FINE BE REDUCED OR ELIMINATED. THANK YOU.

Signed and Sworn to by:

DANA C SYDNEY
before me this 1st Day of
September, 2011

Debra J. Menzel
Notary Public

Dana C Sydney
(Signature of Chairman/Treasurer)



July 18, 2011

State Board of Elections
PO Box 4187
Springfield, Illinois
62708-4187

To whom it may concern,

This report is being mailed late and really I have no excuse, other than the fact that we were not in the office, where I keep the records, all last week and I completely forgot about sending the reports into the state. Our account has been dormant and no checks were entered or revenue received in our account since the election, two years ago. No one is to blame except me and I promise that it won't happen again. I'm truly sorry and hope that the board of elections will be lenient with me.

Sincerely,

A handwritten signature in cursive script that reads "Dana C. Sydney".

Dana C Sydney, Treasurer

**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 AJ 056

Basic Crafts Council of Mid-Central Illinois

ID# 18976

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
For Delinquently Filing of Schedule A-1 Reports

The Committee received two \$1,500 contributions on 4/5/11, and reported them on a Schedule A-1 received by the Board on 7/6/11, 59 days late, resulting in a civil penalty assessment of \$1,500.

Michael D. Zahn, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Zahn states that although changes to disclosure law took effect in 2011, the Committee did not realize that Schedule A-1 reporting was required year-round until it learned the information from a Board mailing. He says at that time the Committee did not think about previously received deposits, such as the two on 4/5/11, but made an effort to make sure all A-1 reports were correctly filed from that point on.

Although the Board did include a reminder about A-1 requirements as part of a Quarterly Report packet sent to committees in June, there had been previous notifications about the changes to disclosure law. In any case, ignorance of the law is not an excuse, so I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this is the first set of A-1 violations for this Committee, I recommend the penalty be reduced to 10% of the original assessment, or \$150. If these recommendations are accepted by the Board, the \$150 civil penalty will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$993.97.)



Tom Newman – Hearing Officer
September 21, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR

Rupert T. Borgsmiller

August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Basic Crafts Council of Mid-Central Illinois

ID# 18976

Michael D Zahn

3520 E Cook St

Springfield, IL 62703-2173

Dear Basic Crafts Council of Mid-Central Illinois:

This committee has failed to timely file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
Laborers Local 477	4/5/2011	\$1500	7/6/2011	59	\$750
Teamsters Local 916	4/5/2011	\$1500	7/6/2011	59	\$750

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$1500 for delinquent filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$150, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

State of Illinois)

County of Sangamon)

STATE OF ILLINOIS * HOUSE

11 SEP -6 AM 11:27

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;)

ILLINOIS STATE BOARD OF ELECTIONS.)

Complainant)

Vs.)

Case No. 11 AJ 056

Basic Crafts Council of Mid-Central
Respondent(s). Illinois)

ID: 18976

APPEAL AFFIDAVIT

I, Michael D Zahn, the Treasurer of the
(Name) (Chairman/Treasurer)

Basic Crafts Council of Mid-Central Illinois
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Several changes took place in 2011 and we believed we understood those changes. Unfortunately, we did not realize until the May 31, 2011 update from your office that Schedule A-1 was now required year round. We did not think about previous deposits and have made every effort from that point forward to report those contributions as required. (This could be noted through one of the other committees that we file for) It was not our intent to violate any rules or misrepresent our committee. We strive to file our reports correctly and in a timely fashion. We deeply regret the error and ask for a waiver of the fine assessed.

Signed and Sworn to by:

Michael D Zahn
before me this 1st Day of
September, 2011

Sherald A. Dunham
Notary Public

Michael D. Zahn
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 JQ 024

Coles County Democrat Boosters

ID# 5233

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
For Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on August 2, 2011, 12 days late, resulting in a civil penalty assessment of \$300.

Harold Nordin, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Nordin states that he sent in the Report very early (in late June) because he was leaving on a trip to Los Angeles. Mr. Nordin says in his haste to file, he neglected to sign the Report. When he was informed of this at the end of July, he states that he quickly put the Report together again and sent it in.

When a Report without a signature is received by the Board, it is date stamped and logged in and scanned as a Report filing, then returned to the Committee to be signed and re-submitted. In the case of this Committee's Report, I can find no record of an unsigned Report being received and the Report logged in on August 2 bears a date stamp only for that date. (The Committee did submit an unsigned Report for the March 2011 Quarterly Report, and that Report was logged in and stamped on the original date of receipt.) Lacking any evidence to support Mr. Nordin's claim of the filing date for the June Quarterly Report, I must recommend the appeal be denied. As a first offense, the \$300 civil penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$1,951.48.)



Tom Newman – Hearing Officer
September 20, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Coles County Democrat Boosters
William Tapella
2739 Kimwood Dr
Charleston, IL 61920

ID# 5233

Dear Coles County Democrat Boosters:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on August 2, 2011, 12 days late. As such, this committee has been assessed a fine of \$300.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be ***stayed***. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimus at 217-782-1543.

Sincerely,

A handwritten signature in black ink that reads "Sharon Steward".

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)

County of Coles)

STATE BOARD OF ELECTIONS

11 SEP -2 AM 8:49

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

Case No. 11 JQ 024

Coles County Dem. Boosters

Respondent(s).

Treasurer

APPEAL AFFIDAVIT

I, Harold A. Nordin, the Treasurer of the
(Name) (Chairman/Treasurer)

Coles County Democratic Boosters
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

My wife and I made a trip to Los Angeles at the end of June, 2011 to visit my wife's sister who is very ill. I sent in the July Quarterly Report early. In my haste I neglected to sign the report. I was informed of this oversight at the end of July. I quickly put the report together again and sent it to Springfield, which you received on Aug. 1, 2011 with my signature.

I hope this letter and explanation takes care of the late filing error.

Signed and Sworn to by:

Harold A. Nordin
before me this 1st Day of
September, 2011

Ch. D. Myers
Notary Public

Harold A. Nordin, Treasurer
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

v.

11 JQ 014

Independent Accountants PAC ID# 1032

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment
For Delinquently Filing the June 2011 Quarterly Report

The Report was received by the Board on July 28, 2011, 9 days late, resulting in a civil penalty assessment of \$450.

Edward Lohman, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Lohman states that at the time the Report was due, he was changing staff in his office and was also very busy with other second quarter accounting reports being handled in the office. Mr. Lohman also suggests that the change in reporting requirements that went into effect in 2011 helped lead to the delinquent filing.

I recommend the appeal be denied for lack of an adequate defense. As a first offense, the civil penalty is stayed. (As of 6/30/11, this Committee reported a funds available balance of \$42,661.71.)



Tom Newman – Hearing Officer
September 21, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6435



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Independent Accountants PAC
Edward J Lohman
1818 State St
Quincy, IL 62301-5166

ID# 1032

Dear Independent Accountants PAC:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 28, 2011, 9 days late. As such, this committee has been assessed a fine of \$450.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.**

Since this is a first time violation, the assessed civil penalty will be *stayed*. Any subsequent violation of Article 9 of the Election Code or of a Board Order, may result in the assessment of an additional civil penalty as provided in Section 125.425 of the Rules and Regulations. If that subsequent violation is one which results in the assessment of a civil penalty, that penalty, as well as the civil penalty previously stayed, shall become due and owing. **Therefore, you need not pay this assessed civil penalty unless another violation occurs.**

If you have questions regarding the appeal process, please call Jennifer Ronimous at 217-782-1543.

Sincerely,

Sharon Steward
Director, Campaign Disclosure Division

SS: jr
Enclosure(s): appeal packet

State of Illinois)
County of ADAMS)

STATE BOARD OF ELECTIONS

11 SEP -2 AM 10:21

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs,)

Case No. 11JQ 014

Independent Accountants PAC
Respondent(s).)

APPEAL AFFIDAVIT

I, Edward J. Lohman, the Treasurer of the
(Name) (Chairman/Treasurer)

Independent Accountants PAC
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Treasurer was changing office staff in July. Treasurer's office is an accounting office and July is a very busy month with second quarter reports due. The filing requirements for the PAC reports changed as of 01-01-2011, and this committee has not had a recent history of late filing.

Signed and Sworn to by:

Edward J. Lohman
before me this 31 Day of
August, 2011

Cathy S. McCleery
Notary Public

Edward J. Lohman
(Signature of Chairman/Treasurer)

"OFFICIAL SEAL"
CATHY S. MCCLEERY
Notary Public, State of Illinois
My Commission Expires 05/01/12

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11 AG 089

Citizens for Steve Kim 13184
Respondent

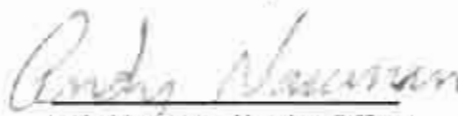
REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment for Failing to File
A Schedule A-1 for the 2010 General Election

This committee received one \$700 contribution on 10/25/10, one \$875 contribution on 10/12/10, one \$1,000 contribution on 10/15/10, two \$1,000 contributions on 10/22/10, one \$2,000 contribution on 10/5/10, and one \$2,000 contribution on 10/20/10 and failed to file these contributions on a Schedule A-1. Additionally, the Committee had previously been assessed a \$75 civil penalty (not appealed, paid) for delinquently filing the December 1998 Semi-Annual Report; a \$50 civil penalty (appealed, denied, paid) for delinquently filing the December 2000 Semi-Annual Report; a \$75 civil penalty (appealed, denied, paid) for delinquently filing the December 2001 Semi-Annual Report; a \$100 civil penalty (not appealed, paid) for delinquently filing the December 2006 Semi-Annual Report; a \$700 civil penalty (appealed, denied, paid) for delinquently filing the December 2008 Semi-Annual Report; a \$200 civil penalty (not appealed, stayed) for delinquently filing the December 2010 Semi-Annual Report. The total assessment is \$8,775.

Steve Kim, the candidate, appeared at the September 1 appeal hearing.

Mr. Kim indicated that he was unaware that the Committee had to file a Schedule A-1 and he had assigned a person to keep the books while he was on the campaign trail. That person is no longer associated with the Committee for he failed to file the campaign disclosure reports as required. Mr. Kim also stated that the Committee's failure to file the report was not intentional and it was due to the fact that he was not aware that Schedule A-1 were required to be filed and the person who he thought was taking care of the campaign disclosure reports was not. Mr. Kim has since taken over the responsibility of filing the campaign disclosure reports and he indicated that he now has an election attorney to assist him and he hopes to have no more issues in relation campaign disclosure filings.

A lack of knowledge in relation to disclosure rules is not an adequate excuse for failing to file a Schedule A-1. The fact that someone within the Committee was tasked to file the reports and they did not is an internal matter and this is not an adequate excuse for failing to file a Schedule A-1 in the opinion of the hearing officer. Therefore, I recommend the appeal be denied. I also recommend that the penalty be reduced to 10% of the original assessment, or \$858. If this recommendation is accepted by the Board, the stay will be lifted from the earlier civil penalty and the total assessment of \$1,058 will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$1,184.60.)


Andy Nauman – Hearing Officer
September 14, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Citizens for Steve Kim
Steve Kim
3351 Old Mill Rd.
Northbrook, IL 60062-6323

ID# 13184

Dear Citizens for Steve Kim:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Bee Sales	10/5/2010	\$2000	\$2000	*	17
Green Spin Cleaners	10/25/2010	\$700	\$700	*	4
Jinny Beauty Supply Co	10/20/2010	\$2000	\$2000	*	7
Kim Kenneth	10/12/2010	\$875	\$875	*	13
SKKU Brothers	10/15/2010	\$1000	\$1000	*	10
Theodore Yoon	10/22/2010	\$1000	\$1000	*	5
Citizens for Jim Edgar	10/22/2010	\$1000	\$1000	*	5

The committee is fined a **total** of \$8575 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$858, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

State of Illinois)

County of Co.)

STATE BOARD OF ELECTIONS

11 JUL 20 AM 10:18

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 10 AG 089

C. FIZENS for Steve Km

Respondent(s).)

APPEAL AFFIDAVIT

I, Steve Km, the Chairman of the

(Name)

(Chairman/Treasurer)

C. FIZENS for Steve Km

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

Treasurer of committee during campaign for
Attorney General was in charge of filings He
is no longer associated with the committee due
to his errors in missed filings

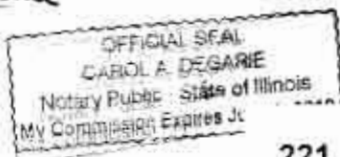
Signed and Sworn to by:

before me this 22nd Day of

JUNE, 2011
Carol A. Degarie

Notary Public

(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 MA 039

Joe Messer for Barrington Hills Village Trustee 23598

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing

The D-1, Statement of Organization and

A Schedule A-1 for the 1st Quarter of 2011

The D-1 Statement of Organization was received by the Board on 3/17/11, 12 days late, resulting in a civil penalty assessment of \$600. The Committee has also been assessed a \$2,500 civil penalty for delinquently filing a Schedule A-1 on 3/17/11, 17 days late. The total assessment is \$3,100.

The Respondent was represented by attorney John Fogarty Jr. at the August 31 appeal hearing.

John Fogarty indicated that the committee Joe Messer for Barrington Hills Village Trustee was created on 3/17/11 in an effort to remedy a disclosure violation alleged against Save5Acres for Barrington Hills Trustees, which was created to support the candidacies of Patty Meroni, Karen Selman, and Joe Messer for Barrington Hills Trustee. Mr. Fogarty also indicated that the alleged violation was fully litigated before the Board in 11 CD 006. Each of the candidates in a response to the alleged violation filed a D-1, Statement of Organization, which created 3 separate candidate committees, one for each candidate. Each of the candidate committees also filed a Schedule A-1 to disclose the receipt of a \$5,000 contribution from Benjamin LeCompte III. The candidates did this in an abundance of caution and in an effort to comply with the Campaign Finance Law. Each of the candidates endorsed the \$5,000 check over to their political committee Save5Acres for Barrington Hills Trustees. All three of the candidate committees only had one receipt and one transfer and they were both in relation to this \$5,000 check. The candidate committees had no other receipt and or expenditures. Mr. Fogarty and these 3 candidates believe that the filing of the Statement of Organizations for these candidate political committees was not necessary and an attempt to withdraw these filings was made in a letter of correspondence filed with the State Board of Elections dated 3/23/11 (Exhibit B attached to the appeal affidavit). The candidate committees subsequently filed a Final Report. Mr. Fogarty indicated that these contributions are subject to res judicata in that Save5Acres for Barrington Hills Trustees was found to be in violation of 5/9-8.5 (contribution limits) and 5/9-25 (contribution in the name of another) of the Election Code in relation to the three \$5,000 contributions that Benjamin LeCompte III gave to Patty Meroni, Karen Selman and Joe Messer. All three \$5,000 contributions were ultimately returned to Mr. LeCompte by Save5Acres for Barrington Hills Trustees out of caution that the contributions were possibly not disclosed correctly.

The Committee, Joe Messer for Barrington Hills Village Trustee, voluntarily filed the Statement of Organization on 3/17/11 even if it was in an abundance of caution and in an attempt to remedy a disclosure violation of another political committee. The Board in the past has viewed the voluntary filing of the Statement of Organization as establishing an obligation to file all required reports regardless of whether the "committee" qualified as a political committee. In order to be consistent with previous Board

decisions in relation to the voluntary filing of a Statement of Organization, I recommend the appeal be denied for a lack of an adequate defense in relation to the Statement of Organization being filed 12 days late. If this recommendation is accepted by the Board the civil penalty for the delinquent filing of the Statement of Organization would be \$600. In relation to the \$5,000 contribution from Benjamin LeCompte III I also recommend the appeal be denied for a lack of an adequate defense. The Committee has an obligation to file all required reports. Joe Messer for Barrington Hills Village Trustee received a contribution of more than \$1,000 and they did not timely file a Schedule A-1. Save5Acres for Barrington Hills Trustees is a separate committee and I do not believe res judicata would apply to two different committees even if they share a similar candidate. In addition, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$250. If these recommendations are accepted by the Board, a \$850 civil penalty will be due and owing. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated.



Andy Nauman - Hearing Officer

September 9, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBE

Complainant(s),

Vs. Karen Selman
Patty Meroni
Joe Messer

Respondent(s)

Case No.

11MAC37
11MA038
11MA039

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S) or ☒ RESPONDENT(S)

John Fogarty
(Insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

Law Office of John Fogarty

Address:

4043 N. Ravenswood Ste 226

City/State/ZIP

Chicago, IL 60613

Telephone:

773-549-2647

FAX No.:

773-681-7147

EMAIL:

john@fogartylawoffice.com

Will you accept service of documents via FAX transmissions?

Check one: ☒ Yes ☐ No


Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan Schneider, Chairman
Wanda Rednour, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Albert Porter
Jesse Smart
Robert Walters

Joe Messer for Barrington Hills Village Trustee
Joe Messer
21 Oakdene Dr
Barrington, IL 60010-4036

ID# 23549

Dear Joe Messer for Barrington Hills Village Trustee:

This letter is to inform you that this committee failed to file its D-1 Statement of Organization during the requisite filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on March 17, 2011, 12 day(s) late. As such, this committee has been assessed a fine of \$600.

In addition, this committee failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Benjamin LeCompte III	2/10/2011	\$2500	\$5000	3/17/2011	17

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$2500 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$250, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

11 AUG -1 PM 2:35

State of Illinois)
)
 County of Cook)

**BEFORE THE STATE BOARD OF ELECTIONS
 OF THE STATE OF ILLINOIS**

In The Matter Of
 Illinois State Board Of Elections,
 Complainant

v.

Joseph Messer For Barrington Hills Trustee,
 Respondent.

No. 11 MA039

APPEAL AFFIDAVIT

I, Joseph Messer, the Chairman of Joseph Messer For Barrington Hills Trustee ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. The State Board of Elections has generated correspondence to the Committee alleging violation of the Campaign Finance Act by filing a tardy Form D-1 and Schedule A-1 with respect to a \$5,000 contribution by Dr. Benjamin LeCompte. For reasons that follow, there is no cause for the assessment, and the Committee requests the allegations be dismissed.

2. The Committee was created on March 17, 2011, in an effort to remedy a disclosure violation alleged against the Save 5 Acres For Barrington Hills Trustee political committee ("Save 5"), which was created to support the candidacies of three candidates for Barrington Hills Trustee: Patty Meroni, Karen Selman, and Joe Messer ("the Candidates").

3. The gravamen of the violation alleged against Save 5 was the contribution of \$5,000 by Dr. Benjamin LeCompte to each of the Candidates, each of whom, in turn, signed over

those contributions to Save 5. This alleged violation was fully litigated before the State Board of Elections, in matter number 11 CD 006. (Attached hereto and made part hereof as Exhibit A are the Hearing Officer's Recommendation and the Final Order of the Board). While the actions of the Candidates herein represented a technical violation of the Campaign Finance Law, the hearing Officer specifically found that there was no intent on the part of the Candidates to circumvent the law.

4. In the course of the litigation of the alleged Save 5 violation, each of the Candidates, in an abundance of caution, filed a D-1 Statement of Organization, and a Schedule A-1 to disclose the LeCompte contribution. These documents were filed on March 17, 2011, in an effort to comply with the Campaign Finance Law, insofar as the LeCompte contributions may have viewed as triggering each of the Candidates' obligation to file a Statement of Organization for themselves individually.


5. However, the individual Candidates' D-1s were not necessary, and by correspondence dated March 23, 2011, each of the Candidates declared an intent to revoke the D-1s for their individual committees. (A copy of that correspondence is attached hereto as Exhibit B.)

6. Because the Candidates' committees were never utilized, were created only in an attempt to remedy the alleged LeCompte violation, existed at all for only one week, and have all been finally closed, the Committee has meritorious grounds to appeal the Committee's alleged disclosure violation, and requests a closed hearing in which to do so.

7. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statement set forth above are true and correct, except as

to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

8. Affiant further sayeth not.



Chairman
Joseph Messer For Barrington Hills Trustee

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

In re the complaint of)

George L. Schueppert,)

Complainant)

11CD 006)

-v-)

Save 5 Acres of Barrington Hills,)

Jason Elder, Dan Lundmark, E.)

Margaret Eich, Karen Rosene, John)

Rosene, Patty Meroni, Karen N.)

Selman, Joseph Messer, Benjamin B.)

LeCompte III)

Respondent)

HEARING EXAMINER'S REPORT AND RECOMMENDED DECISION**Introduction**

A closing preliminary hearing was conducted in this matter which resulted in an order issued by State Board of Elections' Chairman Bryan A. Schneider dated March 22, 2011. In the order, the Board found that the complaint was filed on justifiable grounds and that a public hearing was to be conducted. The matter was assigned to this Hearing Officer and a public hearing was held, beginning on March 29, 2011. The Complainant was represented by attorney Richard Means and Respondents were represented by attorney John Fogarty. Attorney Adam Lasker also entered an appearance on behalf of the Respondents but was not present at the hearings.

Background

On or around February 10, 2011, Dr. Benjamin LeCompte III of Barrington Hills issued three individual checks in the amount of \$5,000 each to candidates Patty Meroni, Karen Selman and Joe Messer. (Complainant's Group Ex. 1). All of these candidates

EXHIBIT

were running as village trustee candidates in the village of Barrington Hills. Each of the candidates was running as independent candidates but were aligned with Save 5 Acres and identified as candidates supported by the committee. After receipt of the checks, each of the three candidates endorsed their checks over to the Save 5 Acres Committee and the checks were deposited into the Committee's account. (Complainant's Group Ex. 1) The checks were reflected on the Committee's Schedule A-1 as contributions from the candidates rather than from Dr. LeCompte. (Complainant's Group Ex. 2 and Ex. 3) At the time the funds were received, the committee was formed as a candidate committee.

Thereafter, amid what appears to be significant confusion over what type of committee was the correct form, subsequent amended D-1 statements were filed. (Complainant's Group Ex. 7). The amendments include a January 4, 2011 amendment which changed the committee to a Political Party Committee supporting candidates Patty Meroni, Karen Selman, Joseph Messer, and Dawn Davis. On March 1, 2011, an amendment was filed changing the committee to a PAC. On March 11, 2011, an amendment was filed changing the committee back to a Political Party Committee without the name of Dawn Davis as a candidate being supported by the committee. Additionally, on March 17, 2011, each of the candidates who had received the \$5,000 checks from Dr. LeCompte, Patty Meroni, Karen Selman and Joe Messer each filed individual D-1 statements and included the receipt of the \$5,000 check from Dr. LeCompte as well as the transfer to the Respondent Committee. Thereafter, the committee refunded the entire \$15,000 to Dr. LeCompte. (Complainant's Ex. 4). After the \$15,000 was refunded to Dr. LeCompte, Complainant sought to amend his complaint to address the reporting of the refunded \$15,000. It was determined by this Hearing Officer that the reporting of the refunded money was beyond the scope of this hearing. (Complainant's Ex. 6).

Violations alleged by the Complainant

It is the complainant's contention that the receipt of the individual \$5,000 checks by the candidates and their subsequent deposit into the Respondent committee without an indication that Dr. LeCompte was the true source of the funds constituted a violation of Section 9-25 of the Election Code. Specifically, complainant alleges that by making contributions to the candidates and reflecting the source of the contributions as the candidates, the identity of Dr. LeCompte was never disclosed. Therefore, according to the Complainant, the contributions were from an anonymous source. Complainant further alleges that the contributions from Dr. LeCompte exceeded the limits from a single donor as set forth in Section 9-8.5 of the Election Code. Finally, Complainant alleges that the failure to disclose Dr. LeCompte as the true contributor was intentional and constituted a willful filing of false information in violation of Section 9-26 of the Election Code.¹ According to Complainant, the Respondents knew the true source of the funds and chose to inaccurately reflect the source as the candidates so as to "launder" the funds. Finally, complainant alleges that any subsequent action to correct the violations did not change the fact that the violation occurred in the first instance.

Several witnesses were called by the Complainant in support of his complaint. Among the witnesses was the donor of the checks, Dr. Benjamin B. LeCompte, III. Dr. LeCompte testified that he donated to the individual candidates because he preferred to support the candidates as individuals and not as a political party (Tr. 3/29/11, p. 52). In addition to giving Patty Meroni, Joe Messer and Karen Selman \$5,000 contributions, he also gave a candidate by the name of Joseph Steiper who was not aligned by the others a \$5,000 contribution. Dr. LeCompte testified that he did not intend to circumvent the reporting process. It was also Dr. LeCompte's understanding that at the time he gave the donations, the committee had become a political party committee and that he

¹ Complainant attempted to introduce as Complainant's Exhibit 5, correspondence between the attorney for Burrington Hills and Dr. LeCompte's attorney regarding a zoning matter to establish that there was a reason Dr. LeCompte made the contributions and a reason for the source of the contributions to be hidden. The issue as to whether Dr. LeCompte had disagreements or legal proceedings with various village officials who were not party to the instant matter was beyond the scope of the hearing and outside the jurisdiction of this Board. Therefore, Complainant's Exhibit 5 was not admitted into evidence.

were running as village trustee candidates in the village of Barrington Hills. Each of the candidates was running as independent candidates but were aligned with Save 5 Acres and identified as candidates supported by the committee. After receipt of the checks, each of the three candidates endorsed their checks over to the Save 5 Acres Committee and the checks were deposited into the Committee's account. (Complainant's Group Ex. 1) The checks were reflected on the Committee's Schedule A-1 as contributions from the candidates rather than from Dr. LeCompte. (Complainant's Group Ex. 2 and Ex. 3). At the time the funds were received, the committee was formed as a candidate committee.

Thereafter, amid what appears to be significant confusion over what type of committee was the correct form, subsequent amended D-1 statements were filed. (Complainant's Group Ex. 7). The amendments include a January 4, 2011 amendment which changed the committee to a Political Party Committee supporting candidates Patty Meroni, Karen Selman, Joseph Messer, and Dawn Davis. On March 1, 2011, an amendment was filed changing the committee to a PAC. On March 11, 2011, an amendment was filed changing the committee back to a Political Party Committee without the name of Dawn Davis as a candidate being supported by the committee. Additionally, on March 17, 2011, each of the candidates who had received the \$5,000 checks from Dr. LeCompte, Patty Meroni, Karen Selman and Joe Messer each filed individual D-1 statements and included the receipt of the \$5,000 check from Dr. LeCompte as well as the transfer to the Respondent Committee. Thereafter, the committee refunded the entire \$15,000 to Dr. LeCompte. (Complainant's Ex. 4). After the \$15,000 was refunded to Dr. LeCompte, Complainant sought to amend his complaint to address the reporting of the refunded \$15,000. It was determined by this Hearing Officer that the reporting of the refunded money was beyond the scope of this hearing. (Complainant's Ex. 6).

and his wife could have each given \$7,500 to the committee but he chose not to do so because it was his desire to donate to individual candidates. (Tr. 3/29/11 p. 58) Dr. LeCompte also testified that \$15,000 was returned to him by the committee.

Also called to testify was Casey Justice. Ms. Justice testified that she was employed by Save 5 Acres in January 2011 to create mailers, fliers and advertisements and to "corral" volunteers. Ms. Justice identified the person who prepared the campaign disclosure documents of the committee as Patty Boni. As a reminder when preparing the A-1 reports, Ms. Justice put a pink sticky note on the wall that advised Ms. Boni that any donation of \$1,000 or more must be report with 24 hours. Ms. Justice also testified that she showed Ms. Boni how to use the IDIS system. Finally Ms. Justice testified that she spoke with Mr. Meyer, a campaign disclosure staff person with the State Board of Elections, to confirm that they were filing their A-1s correctly and he advised her that the committee should become a PAC. However, she had no specific knowledge of the three donations at issue in this matter, until the complaint was filed.

Next to testify was Steven Knoop, a financial advisor and an active member of the community, who offered to talk with Dr. LeCompte regarding a donation. He and candidate Karen Selman went to Dr. LeCompte's house and received the checks. Mr. Knoop suggested that he write the checks directly to the candidates because Dr. LeCompte had a "sensitivity" to the Save 5 Acres moniker. He then turned the checks over to candidate Patty Meroni at a candidate's coffee. He played no part in the manner in which the contributions were reported.

Candidate Joseph Messer was also called to testify. When he received the check from Dr. LeCompte he thought it would be expedient to sign it over to the committee's account and it would be reported and managed from there. (Tr. 3/29/11, p. 88). According to Mr. Messer's testimony, he had no intent to circumvent reporting requirements.

Candidate Karen Selman testified that she accompanied Mr. Knoop when he went to Dr. LeCompte's house to receive the checks. Dr. LeCompte indicated that he did not want to make contributions to the committee and would only provide checks to

the individuals. Ms. Seiman further testified that she advised Dr. LeCompte that she was going to endorse her check over to the committee and in fact endorsed it in Dr. LeCompte's garage.

Candidate Patty Meroni also testified. She indicated that she was the office manager for her husband's law firm, Meroni and Meroni and that she believed that Casey Justice may have completed some of the campaign disclosure filings for Save 5 Acres. She further testified that Ms. Justice helped their employee Patty Boni learn how to prepare campaign disclosure reports. Ms. Meroni was not asked anything about the circumstances behind her endorsement of the check to the committee.

Daniel Lundmark, co-chair of the committee until February also testified. He had no specific knowledge of the contributions made by Dr. LeCompte until the complaint was filed.

At the hearing, it was determined that Patty Boni was the individual who actually prepared the Schedule A-1 at issue. However, she was unavailable for the March 29, 2011 hearing as she was out of town. The hearing was continued until she was available.²

At the reconvened hearing on April 14, 2011, Ms. Boni testified that she worked for the law firm of Meroni and Meroni and was responsible for book work and data entry. In addition, she was responsible for preparing and filing the campaign disclosure forms for Save 5 Acres. She learned how to use the software from Casey Justice and had printed rules and a booklet from the State Board of Elections. She was not familiar with the committee's contribution limits. When she received the checks from the candidates that were endorsed over to the committee, she identified the candidates as the donors because that is how the checks were made out. She did not receive any directions from anyone as to who should be reflected as the source of the three \$5,000 checks and was

² The reason for Ms. Boni's absence was a source of substantial discussion. Complainant alleged that Ms. Boni's unavailability was intentional. In an effort to address the issue, Respondent offered Ms. Boni's affidavit. Inasmuch as Ms. Boni was available for the continued hearing on April 14, 2011, the reason for her initial unavailability was moot.

not aware that one of the purposes of campaign finance laws is to show the true source of contributions.

Subsequent to the hearing, the parties were given leave to file the various D-1 statements filed by the committee along with a letter from Respondent's attorney explaining the various filings.

APPLICABLE STATUTES

The complaint alleges that Respondents violated Sections 9-25, 9-26 and 9-8.5 of the Election Code.

Section 9-25 provides as follows:

Sec. 9-25. No person shall make an anonymous contribution or a contribution in the name of another person, and no person shall knowingly accept any anonymous contribution or contribution made by one person in the name of another person. Anonymous contributions shall escheat to the State of Illinois. Any political committee that receives such a contribution shall forward it immediately to the State Treasurer. (Source: P. A. 78-1183.) 10 ILCS 5/9-25

Section 9-26 provides as follows:

Sec. 9-26. Willful failure to file or willful filing of false or incomplete information required by this Article shall constitute a business offense subject to a fine of up to \$5,000. Willful filing of a false complaint under this Article shall constitute a Class B misdemeanor. A prosecution for any offense designated by this Article shall be commenced no later than 18 months after the commission of the offense. The appropriate State's Attorney or the Attorney General shall bring such actions in the name of the people of the State of Illinois. (Source: P.A. 90-737, eff. 1-1-99.) 10 ILCS 5/9-26

Section 9-8.5 provides, in pertinent part, as follows:

Sec. 9-8.5. Limitations on campaign contributions.
(a) It is unlawful for a political committee to accept contributions except as provided in this Section.
(b) During an election cycle, a candidate political committee may not accept contributions with an aggregate value over the following: (i) \$5,000 from any individual; (ii) \$10,000 from any corporation, labor organization, or association.
10 ILCS 5/9-8.5

Respondent's Position

Respondent alleges that there was never, at any time, an attempt to hide the fact that Dr. LeCompte was the true source of the three checks to the candidates. Respondent further argues that there was never an attempt to "launder" the funds by paying them through the trustee candidates. Rather, the Respondent contends, the

inaccuracy in reporting the true source of the contributions arose out of confusion on the part of the candidates as well as on the part of the parties responsible for preparing the campaign disclosure documents. Respondent contends that the actions taken by the Respondent committee and candidates subsequent to the filing of the first A-1 evidenced the Respondent's sincere effort to correct its reporting problems, however ineffective these actions may have been. Additionally, all funds donated by Dr. LeCompte were ultimately returned in an effort to fully rectify any problems that occurred as a result of the contributions. Finally, according to Respondent, the changes in the reporting requirements since January, 2011 exacerbated already confusing reporting requirements.

DISCUSSION

The evidence clearly and unequivocally establishes that (1) the three \$5,000 checks paid to trustee candidates Joseph Messer, Karen Selman and Patty Meloni came from one individual source, Dr. LeCompte, (2) the aggregate value of the checks from Dr. LeCompte was \$15,000, (3) Dr. LeCompte, being the actual donor, should have been identified as the source of the contributions on the Committee's Schedule A-1 regardless of what kind of committee Save 5 Acres was at the time of the contributions, and (4) the contribution in the amount of \$15,000 from a single donor exceeds the amount the committee was permitted to accept. Therefore, it is equally clear that the committee violated Sections 9-25 and 9-8.5 of the Election Code.

However, there is nothing in the record to suggest that the reporting violations were in any way willful or intentional. Rather, the evidence clearly establishes that the reporting violations were a result of inexperience and confusion. Therefore, there was no violation of Section 9-26.

RECOMMENDATION

For the foregoing reasons, it is my recommendation that the State Board of Elections find that Respondents violated Section 9-8.5 and 9-25 of the Election Code. It is my further recommendation that the State Board of Elections issue an order directing the Respondent to comply with all reporting requirements in the future and notifying the Respondent that failure to comply with a Board Order will subject the Respondent to a civil penalty not to exceed \$5,000.

Respectfully submitted,

Barbara Goodman /s/

Barbara Goodman, Hearing Officer
June 6, 2011

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

STATE BOARD OF ELECTIONS
 STATE OF ILLINOIS

In the Matter Of:)
)
 George L. Schueppert,)
)
 Complainant(s),)
 vs.) II CD 006
)
 Save 5 Acres, J. Elder, D. Lundmark,)
 E.M. Eich, K. Rosene, J. Rosene,)
 P. Meroni, K. Selman, J. Messer, &)
 B. LeCompte)
 Respondent(s).)

FINAL ORDER

TO: George L. Schueppert 97 Otis Rd Barrington Hills, IL 60010	Save 5 Acres PO Box 339 Barrington, IL 60010	Jason Elder 273 Leeds Dr. Barrington Hills, IL 60010	Dan Lundmark 23 Bow Lane Barrington Hills, IL 60010
F. Margaret Eich 7 Bellwood Dr. Barrington Hills, IL 60010	Karen & John Rosene 208 A Braeburn Rd Barrington Hills, IL 60010	Patty Meroni 5 Bellwood Dr Barrington Hills, IL 60010	
Karen Selman 116 Brinker Rd Barrington Hills, IL 60010	Joseph Messer 21 Oakdene Dr Barrington Hills, IL 60010	Benjamin LeCompte III 350 Bateman Rd Barrington Hills, IL 60010	

This matter coming to be heard this 14th day of June, 2011, following a Public Hearing of a Complaint filed pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), alleging that the respondent(s) violated 10 ILCS 5/9-25, 5/9-26 and 5/9-8.5 in that the Respondent committee made contributions in the name of another, filed false campaign disclosure reports and received contributions in excess of the amount permitted by law; and the State Board of Elections having read the report of the Hearing Officer and hearing the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. The respondents violated Section 5/9-8.5 and 5/9-25 of the Election Code; and

IT IS HEREBY ORDERED:

1. The recommendation of the Hearing Officer and the General Counsel is adopted; and
2. The respondents comply with all reporting requirements in the future, and
3. Failure to do so will subject the Committee to a civil penalty not to exceed \$5000.00 for failure to comply with a Board Order, and
4. Board staff shall review reports filed for any possible violations of contribution limits and make any necessary penalty assessments, and
5. The effective date of this Order is June 15, 2011, and
6. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 6/15/2011


Bryan A. Schneider, Chairman

CHICAGO

11 MAR 24 '11 8 01

STATE BOARD OF ELECTIONS

2
LAW OFFICE OF JOHN FOGARTY, JR.
4043 North Ravenswood, Suite #226
Chicago, IL 60613
(773) 549-2647 (phone)
(773) 681-7147 (fax)
fogartyjr@gmail.com

358

March 23, 2011

Via Facsimile

Illinois State Board of Elections
100 W. Randolph, Suite 14-100
Chicago, Illinois 60601

Re: Save 5 Acres for Barrington Hills Trustees
Committee ID 23119

Dear Sir or Madam:

Please be advised that I represent the Save 5 Acres for Barrington Hills Trustees political committee ("the Committee") and its affiliated candidates. The Committee is a Political Action Committee formed to support certain independent candidates for Barrington Hills Village Trustee in the April 5, 2011 Consolidated Election; namely, Patty Meroni, Karen Selman and Joseph Messer ("the Candidates").

On March 17, 2011, the Committee filed a Schedule B-1 disclosing a number of expenditures made by the Committee on behalf of the Candidates. This filing was made inadvertently. Rather than be disclosed on a Schedule B-1, these expenditures would be (and will be) properly disclosed on the Committee's next Quarterly Report, on a Form D-2. While the Committee had wished to simply withdraw this erroneously-filed Schedule B-1, it was not able to do so within the confines of the IDIS system. This letter is therefore intended to function as such a withdrawal, if that is possible. At any rate, while the Committee regrets any confusion this error may have caused, please note that this error was made in the spirit of over-disclosure of expenditures that are not due to be disclosed until the Committee's next Quarterly Report.

Further, on March 17, 2011, each of the Candidates filed a D-1 Statement of Organization as a Barrington Hills Village Trustee candidate and a Schedule A-1 reflecting a contribution from Dr. Barry LeCompte. By these filings, that contribution was shown to have been received by each of the Candidates, and then transferred out to the Committee. These D-1 and A-1 filings were made by each of the Candidates in good faith, in the spirit of disclosure, and in an attempt to comply with the Campaign Finance Act, insofar as Dr. LeCompte's contributions may have triggered each of the Candidates' obligation to file a Statement of Organization. It must be noted, and as you know, significant amendments to the Campaign Finance Act and its administrative rules have recently gone into effect. Each D-1 and A-1 filing



was made in an attempt to comply with those rules and to repair a perceived disclosure violation alleged by political opponents of the Candidates during the height of the campaign season.

In order to eliminate further confusion and to obviate any perceived violation of the Campaign Finance Act, the Committee and the Candidates have now simply returned the subject contributions to Dr. LeCompte. These returned contributions are hereby disclosed, and will further be reflected on the Committee's next Quarterly Report. While the IDIS system will not permit a withdrawal of documents once they are filed, this letter is intended as a functional withdrawal of the Candidates' D-1 and A-1 filings, to the extent that is possible. Also toward that end, and to attempt to eliminate further confusion, each of the Candidates will file a final report for each of the D-1s each has filed.

Please ensure that a copy of this correspondence is placed in the file for each of the subject political committees: Save 5 Acres for Barrington Hills Trustees, Committee ID 23119; Patty Meroni for Barrington Hills Village Trustee, Committee ID 23548; Karen Selman for Barrington Hills Village Trustee, Committee ID 23547; and Joe Messer for Barrington Hills Village Trustee, Committee ID 23549. Please also note that any technical violation of any provision of the Campaign Finance Act that has occurred by virtue of these circumstances is purely inadvertent, and that the Committee and the Candidates have made every good faith effort to comply with the law.

Sincerely,



John G. Fogarty, Jr.

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 MA 037

Karen Selman for Barrington Hills Village Trustee 23547

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing

The D-1, Statement of Organization and
A Schedule A-1 for the 1st Quarter of 2011

The D-1 Statement of Organization was received by the Board on 3/17/11, 12 days late, resulting in a civil penalty assessment of \$600. The Committee has also been assessed a \$2,500 civil penalty for delinquently filing a Schedule A-1 on 3/17/11, 17 days late. The total assessment is \$3,100.

The Respondent was represented by attorney John Fogarty at the August 31 appeal hearing.

John Fogarty indicated that the committee Karen Selman for Barrington Hills Village Trustee was created on 3/17/11 in an effort to remedy a disclosure violation alleged against Save5Acres for Barrington Hills Trustees, which was created to support the candidacies of Patty Meroni, Karen Selman, and Joe Messer for Barrington Hills Trustee. Mr. Fogarty also indicated that the alleged violation was fully litigated before the Board in 11 CD 006. Each of the candidates in a response to the alleged violation filed a D-1, Statement of Organization, which created 3 separate candidate committees, one for each candidate. Each of the candidate committees also filed a Schedule A-1 to disclose the receipt of a \$5,000 contribution from Benjamin LeCompte III. The candidates did this in an abundance of caution and in an effort to comply with the Campaign Finance Law. Each of the candidates endorsed the \$5,000 check over to their political committee Save5Acres for Barrington Hills Trustees. All three of the candidate committees only had one receipt and one transfer and they were both in relation to this \$5,000 check. The candidate committees had no other receipt and or expenditures. Mr. Fogarty and these 3 candidates believe that the filing of the Statement of Organizations for these candidate political committees was not necessary and an attempt to withdraw these filings was made in a letter of correspondence filed with the State Board of Elections dated 3/23/11 (Exhibit B attached to the appeal affidavit). The candidate committees subsequently filed a Final Report. Mr. Fogarty also indicated that these contributions are subject to res judicata in that Save5Acres for Barrington Hills Trustees was found to be in violation of 5/9-8.5 (contribution limits) and 5/9-25 (contribution in the name of another) of the Election Code in relation to the three \$5,000 contributions that Benjamin LeCompte III gave to Patty Meroni, Karen Selman and Joe Messer. All three \$5,000 contributions were ultimately returned to Mr. LeCompte by Save5Acres for Barrington Hills Trustees out of caution that the contributions were possibly not disclosed correctly.

The Committee, Karen Selman for Barrington Hills Village Trustee, voluntarily filed the Statement of Organization on 3/17/11 even if it was in an abundance of caution and in an attempt to remedy a disclosure violation of another political committee. The Board in the past has viewed the voluntary filing of the Statement of Organization as establishing an obligation to file all required reports regardless of whether the "committee" qualified as a political committee. In order to be consistent with previous Board

decisions in relation to the voluntary filing of a Statement of Organization, I recommend the appeal be denied for a lack of an adequate defense in relation to the Statement of Organization being filed 12 days late. If this recommendation is accepted by the Board the civil penalty for the delinquent filing of the Statement of Organization would be \$600. In relation to the \$5,000 contribution from Benjamin LeCompte III I also recommend the appeal be denied for a lack of an adequate defense. The Committee has an obligation to file all required reports. Karen Selman for Barrington Hills Village Trustee received a contribution of more than \$1,000 and they did not timely file a Schedule A-1. Save5Acres for Barrington Hills Trustees is a separate committee and I do not believe res judicata would apply to two different committees even if they share a similar candidate. In addition, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$250. If these recommendations are accepted by the Board, a \$850 civil penalty will be due and owing. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated.



Andy Nauman – Hearing Officer

September 9, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan Schneider, Chairman
Wanda Rednour, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Albert Porter
Jesse Smart
Robert Walters

Karen Selman for Barrington Hills Village Trustee
Karen Selman
116 Brinker Rd
Barrington, IL 60010-5104

ID# 23547

Dear Karen Selman for Barrington Hills Village Trustee:

This letter is to inform you that this committee failed to file its D-1 Statement of Organization during the requisite filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on March 17, 2011, 12 day(s) late. As such, this committee has been assessed a fine of \$600.

In addition, this committee failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Benjamin LeCompete III	2/10/2011	\$2500	\$5000	3/17/2011	17

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$2500 for delinquent filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$250, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

STATE BOARD OF ELECTIONS

11 AUG -1 AM 9:31

State of Illinois)
County of Cook)

**BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**

In The Matter Of
Illinois State Board Of Elections,
Complainant

v.

Karen Selman For Barrington Hills Trustee,
Respondent.

No. 11 MA037

APPEAL AFFIDAVIT

I, Karen Selman, the Chairman of Karen Selman For Barrington Hills Trustee ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. The State Board of Elections has generated correspondence to the Committee alleging violation of the Campaign Finance Act by filing a tardy Form D-1 and Schedule A-1 with respect to a \$5,000 contribution by Dr. Benjamin LeCompte. For reasons that follow, there is no cause for the assessment, and the Committee requests the allegations be dismissed.

2. The Committee was created on March 17, 2011, in an effort to remedy a disclosure violation alleged against the Save 5 Acres For Barrington Hills Trustee political committee ("Save 5"), which was created to support the candidacies of three candidates for Barrington Hills Trustee: Patty Meroni, Karen Selman, and Joe Messer ("the Candidates").

3. The gravamen of the violation alleged against Save 5 was the contribution of \$5,000 by Dr. Benjamin LeCompte to each of the Candidates, each of whom, in turn, signed over

those contributions to Save 5. This alleged violation was fully litigated before the State Board of Elections, in matter number 11 CD 006. (Attached hereto and made part hereof as Exhibit A are the Hearing Officer's Recommendation and the Final Order of the Board). While the actions of the Candidates herein represented a technical violation of the Campaign Finance Law, the hearing Officer specifically found that there was no intent on the part of the Candidates to circumvent the law.

4. In the course of the litigation of the alleged Save 5 violation, each of the Candidates, in an abundance of caution, filed a D-1 Statement of Organization, and a Schedule A-1 to disclose the LeCompte contribution. These documents were filed on March 17, 2011, in an effort to comply with the Campaign Finance Law, insofar as the LeCompte contributions may have viewed as triggering each of the Candidates' obligation to file a Statement of Organization for themselves individually.

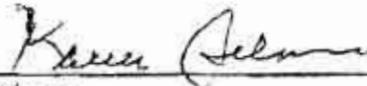
5. However, the individual Candidates' D-1s were not necessary, and by correspondence dated March 23, 2011, each of the Candidates declared an intent to revoke the D-1s for their individual committees. (A copy of that correspondence is attached hereto as Exhibit B.)

6. Because the Candidates' committees were never utilized, were created only in an attempt to remedy the alleged LeCompte violation, existed at all for only one week, and have all been finally closed, the Committee has meritorious grounds to appeal the Committee's alleged disclosure violation, and requests a closed hearing in which to do so.

7. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statement set forth above are true and correct, except as

to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

8. Affiant further sayeth not.



Chairman
Karen Selman For Barrington Hills Trustee

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

In re the complaint of)	
)	
George L. Schueppert,)	
)	
Complainant)	11CD 006
)	
-v-)	
)	
Save 5 Acres of Barrington Hills,)	
Jason Elder, Dan Lundmark, E.)	
Margaret Eich, Karen Rosene, John)	
Rosene, Patty Meroni, Karen N.)	
Selman, Joseph Messer, Benjamin B.)	
LeCompte III)	
)	
Respondent)	

HEARING EXAMINER'S REPORT AND RECOMMENDED DECISIONIntroduction

A closing preliminary hearing was conducted in this matter which resulted in an order issued by State Board of Elections' Chairman Bryan A. Schneider dated March 22, 2011. In the order, the Board found that the complaint was filed on justifiable grounds and that a public hearing was to be conducted. The matter was assigned to this Hearing Officer and a public hearing was held, beginning on March 29, 2011. The Complainant was represented by attorney Richard Means and Respondents were represented by attorney John Fogarty. Attorney Adam Lasker also entered an appearance on behalf of the Respondents but was not present at the hearings.

Background

On or around February 10, 2011, Dr. Benjamin LeCompte III of Barrington Hills issued three individual checks in the amount of \$5,000 each to candidates Patty Meroni, Karen Selman and Joe Messer. (Complainant's Group Ex. 1) All of these candidates



were running as village trustee candidates in the village of Barrington Hills. Each of the candidates was running as independent candidates but were aligned with Save 5 Acres and identified as candidates supported by the committee. After receipt of the checks, each of the three candidates endorsed their checks over to the Save 5 Acres Committee and the checks were deposited into the Committee's account. (Complainant's Group Ex. 1) The checks were reflected on the Committee's Schedule A-1 as contributions from the candidates rather than from Dr. LeCompte. (Complainant's Group Ex. 2 and Ex. 3). At the time the funds were received, the committee was formed as a candidate committee.

Thereafter, amid what appears to be significant confusion over what type of committee was the correct form, subsequent amended D-1 statements were filed. (Complainant's Group Ex. 7). The amendments include a January 4, 2011 amendment which changed the committee to a Political Party Committee supporting candidates Patty Meroni, Karen Selman, Joseph Messer, and Dawn Davis. On March 1, 2011, an amendment was filed changing the committee to a PAC. On March 11, 2011, an amendment was filed changing the committee back to a Political Party Committee without the name of Dawn Davis as a candidate being supported by the committee. Additionally, on March 17, 2011, each of the candidates who had received the \$5,000 checks from Dr. LeCompte, Patty Meroni, Karen Selman and Joe Messer each filed individual D-1 statements and included the receipt of the \$5,000 check from Dr. LeCompte as well as the transfer to the Respondent Committee. Thereafter, the committee refunded the entire \$15,000 to Dr. LeCompte. (Complainant's Ex. 4). After the \$15,000 was refunded to Dr. LeCompte, Complainant sought to amend his complaint to address the reporting of the refunded \$15,000. It was determined by this Hearing Officer that the reporting of the refunded money was beyond the scope of this hearing. (Complainant's Ex. 6).

Violations alleged by the Complainant

It is the complainant's contention that the receipt of the individual \$5,000 checks by the candidates and their subsequent deposit into the Respondent committee without an indication that Dr. LeCompte was the true source of the funds constituted a violation of Section 9-25 of the Election Code. Specifically, complainant alleges that by making contributions to the candidates and reflecting the source of the contributions as the candidates, the identity of Dr. LeCompte was never disclosed. Therefore, according to the Complainant, the contributions were from an anonymous source. Complainant further alleges that the contributions from Dr. LeCompte exceeded the limits from a single donor as set forth in Section 9-8.5 of the Election Code. Finally, Complainant alleges that the failure to disclose Dr. LeCompte as the true contributor was intentional and constituted a willful filing of false information in violation of Section 9-26 of the Election Code.¹ According to Complainant, the Respondents knew the true source of the funds and chose to inaccurately reflect the source as the candidates so as to "launder" the funds. Finally, complainant alleges that any subsequent action to correct the violations did not change the fact that the violation occurred in the first instance.

Several witnesses were called by the Complainant in support of his complaint. Among the witnesses was the donor of the checks, Dr. Benjamin B. LeCompte, III. Dr. LeCompte testified that he donated to the individual candidates because he preferred to support the candidates as individuals and not as a political party. (Tr. 3/29/11, p. 52). In addition to giving Patty Meroni, Joe Messer and Karen Selman \$5,000 contributions, he also gave a candidate by the name of Joseph Steiper who was not aligned by the others a \$5,000 contribution. Dr. LeCompte testified that he did not intend to circumvent the reporting process. It was also Dr. LeCompte's understanding that at the time he gave the donations, the committee had become a political party committee and that he

¹ Complainant attempted to introduce as Complainant's Exhibit 5, correspondence between the attorney for Barrington Hills and Dr. LeCompte's attorney regarding a zoning matter to establish that there was a reason Dr. LeCompte made the contributions and a reason for the source of the contributions to be hidden. The issue as to whether Dr. LeCompte had disagreements or legal proceedings with various village officials who were not party to the instant matter was beyond the scope of the hearing and outside the jurisdiction of this Board. Therefore, Complainant's Exhibit 5 was not admitted into evidence.

and his wife could have each given \$7,500 to the committee but he chose not to do so because it was his desire to donate to individual candidates. (Tr. 3/29/11 p. 58). Dr. LeCompte also testified that \$15,000 was returned to him by the committee.

Also called to testify was Casey Justice. Ms. Justice testified that she was employed by Save 5 Acres in January 2011 to create mailers, fliers and advertisements and to "corral" volunteers. Ms. Justice identified the person who prepared the campaign disclosure documents of the committee as Patty Boni. As a reminder when preparing the A-1 reports, Ms. Justice put a pink sticky note on the wall that advised Ms. Boni that any donation of \$1,000 or more must be reported within 24 hours. Ms. Justice also testified that she showed Ms. Boni how to use the IDIS system. Finally Ms. Justice testified that she spoke with Mr. Meyer, a campaign disclosure staff person with the State Board of Elections, to confirm that they were filing their A-1s correctly and he advised her that the committee should become a PAC. However, she had no specific knowledge of the three donations at issue in this matter, until the complaint was filed.

Next to testify was Steven Knoop, a financial advisor and an active member of the community, who offered to talk with Dr. LeCompte regarding a donation. He and candidate Karen Selman went to Dr. LeCompte's house and received the checks. Mr. Knoop suggested that he write the checks directly to the candidates because Dr. LeCompte had a "sensitivity" to the Save 5 Acres moniker. He then turned the checks over to candidate Patty Meroni at a candidate's coffee. He played no part in the manner in which the contributions were reported.

Candidate Joseph Messer was also called to testify. When he received the check from Dr. LeCompte he thought it would be expedient to sign it over to the committee's account and it would be reported and managed from there. (Tr. 3/29/11, p. 88). According to Mr. Messer's testimony, he had no intent to circumvent reporting requirements.

Candidate Karen Selman testified that she accompanied Mr. Knoop when he went to Dr. LeCompte's house to receive the checks. Dr. LeCompte indicated that he did not want to make contributions to the committee and would only provide checks to

the individuals. Ms. Selman further testified that she advised Dr. LeCompte that she was going to endorse her check over to the committee and in fact endorsed it in Dr. LeCompte's garage.

Candidate Patty Meroni also testified. She indicated that she was the office manager for her husband's law firm, Meroni and Meroni and that she believed that Casey Justice may have completed some of the campaign disclosure filings for Save 5 Acres. She further testified that Ms. Justice helped their employee Patty Boni learn how to prepare campaign disclosure reports. Ms. Meroni was not asked anything about the circumstances behind her endorsement of the check to the committee.

Daniel Lundmark, co-chair of the committee until February also testified. He had no specific knowledge of the contributions made by Dr. LeCompte until the complaint was filed.

At the hearing, it was determined that Patty Boni was the individual who actually prepared the Schedule A-1 at issue. However, she was unavailable for the March 29, 2011 hearing as she was out of town. The hearing was continued until she was available.²

At the reconvened hearing on April 14, 2011, Ms. Boni testified that she worked for the law firm of Meroni and Meroni and was responsible for book work and data entry. In addition, she was responsible for preparing and filing the campaign disclosure forms for Save 5 Acres. She learned how to use the software from Casey Justice and had printed rules and a booklet from the State Board of Elections. She was not familiar with the committee's contribution limits. When she received the checks from the candidates that were endorsed over to the committee, she identified the candidates as the donors because that is how the checks were made out. She did not receive any directions from anyone as to who should be reflected as the source of the three \$5,000 checks and was

² The reason for Ms. Boni's absence was a source of substantial discussion. Complainant alleged that Ms. Boni's unavailability was intentional. In an effort to address the issue, Respondent offered Ms. Boni's affidavit. Inasmuch as Ms. Boni was available for the continued hearing on April 14, 2011, the reason for her initial unavailability was moot.

not aware that one of the purposes of campaign finance laws is to show the true source of contributions.

Subsequent to the hearing, the parties were given leave to file the various D-1 statements filed by the committee along with a letter from Respondent's attorney explaining the various filings.

APPLICABLE STATUTES

The complaint alleges that Respondents violated Sections 9-25, 9-26 and 9-8.5 of the Election Code.

Section 9-25 provides as follows:

Sec. 9-25. No person shall make an anonymous contribution or a contribution in the name of another person, and no person shall knowingly accept any anonymous contribution or contribution made by one person in the name of another person. Anonymous contributions shall escheat to the State of Illinois. Any political committee that receives such a contribution shall forward it immediately to the State Treasurer. (Source: P. A. 78-1183.) 10 ILCS 5/9-25

Section 9-26 provides as follows:

Sec. 9-26. Willful failure to file or willful filing of false or incomplete information required by this Article shall constitute a business offense subject to a fine of up to \$5,000. Willful filing of a false complaint under this Article shall constitute a Class B misdemeanor. A prosecution for any offense designated by this Article shall be commenced no later than 18 months after the commission of the offense. The appropriate State's Attorney or the Attorney General shall bring such actions in the name of the people of the State of Illinois. (Source: P. A. 90-737, eff. 1-1-99.) 10 ILCS 5/9-26

Section 9-8.5 provides, in pertinent part, as follows:

Sec. 9-8.5. Limitations on campaign contributions.
(a) It is unlawful for a political committee to accept contributions except as provided in this Section.
(b) During an election cycle, a candidate political committee may not accept contributions with an aggregate value over the following: (i) \$5,000 from any individual; (ii) \$10,000 from any corporation, labor organization, or association.
10 ILCS 5/9-8.5

Respondent's Position

Respondent alleges that there was never, at any time, an attempt to hide the fact that Dr. LeCompte was the true source of the three checks to the candidates.

Respondent further argues that there was never an attempt to "launder" the funds by paying them through the trustee candidates. Rather, the Respondent contends, the

inaccuracy in reporting the true source of the contributions arose out of confusion on the part of the candidates as well as on the part of the parties responsible for preparing the campaign disclosure documents. Respondent contends that the actions taken by the Respondent committee and candidates subsequent to the filing of the first A-1 evidenced the Respondent's sincere effort to correct its reporting problems, however ineffective these actions may have been. Additionally, all funds donated by Dr. LeCompte were ultimately returned in an effort to fully rectify any problems that occurred as a result of the contributions. Finally, according to Respondent, the changes in the reporting requirements since January, 2011 exacerbated already confusing reporting requirements.

DISCUSSION

The evidence clearly and unequivocally establishes that (1) the three \$5,000 checks paid to trustee candidates Joseph Messer, Karen Selman and Patty Meloni came from one individual source, Dr. LeCompte, (2) the aggregate value of the checks from Dr. LeCompte was \$15,000, (3) Dr. LeCompte, being the actual donor, should have been identified as the source of the contributions on the Committee's Schedule A-1 regardless of what kind of committee Save 5 Acres was at the time of the contributions, and (4) the contribution in the amount of \$15,000 from a single donor exceeds the amount the committee was permitted to accept. Therefore, it is equally clear that the committee violated Sections 9-25 and 9-8.5 of the Election Code.

However, there is nothing in the record to suggest that the reporting violations were in any way willful or intentional. Rather, the evidence clearly establishes that the reporting violations were a result of inexperience and confusion. Therefore, there was no violation of Section 9-26.

RECOMMENDATION

For the foregoing reasons, it is my recommendation that the State Board of Elections find that Respondents violated Section 9-8.5 and 9-25 of the Election Code. It is my further recommendation that the State Board of Elections issue an order directing the Respondent to comply with all reporting requirements in the future and notifying the Respondent that failure to comply with a Board Order will subject the Respondent to a civil penalty not to exceed \$5,000.

Respectfully submitted,

Barbara Goodman /s/

Barbara Goodman, Hearing Officer
June 6, 2011

STATE OF ILLINOIS)
)
) SS
 COUNTY OF COOK)

STATE BOARD OF ELECTIONS
 STATE OF ILLINOIS

In the Matter Of:)
)
 George L. Schueppert,)
)
 Complainant(s),)
 vs.)
)
 Save 5 Acres, J. Elder, D. Lundmark,)
 E.M. Eich, K. Rosene, J. Rosene,)
 P. Meroni, K. Selman, J. Messer, &)
 B. LeCompte)
 Respondent(s).)

11 CD 006

FINAL ORDER

TO: George L. Schueppert	Save 5 Acres	Jason Elder	Dan Lundmark
97 Otis Rd	PO Box 339	273 Leeds Dr.	23 Bow Lane
Barrington Hills, IL 60010	Barrington, IL 60010	Barrington Hills, IL 60010	Barrington Hills, IL 60010
E Margaret Eich	Karen & John Rosene	Patty Meroni	
7 Bellwood Dr	208 A Braeburn Rd	5 Bellwood Dr	
Barrington Hills, IL 60010	Barrington Hills, IL 60010	Barrington Hills, IL 60010	
Karen Selman	Joseph Messer	Benjamin LeCompte III	
116 Brinker Rd	21 Oakdene Dr	350 Bateman Rd	
Barrington Hills, IL 60010	Barrington Hills, IL 60010	Barrington Hills, IL 60010	

This matter coming to be heard this 14th day of June, 2011, following a Public Hearing of a Complaint filed pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), alleging that the respondent(s) violated 10 ILCS 5/9-25, 5/9-26 and 5/9-8.5 in that the Respondent committee made contributions in the name of another, filed false campaign disclosure reports and received contributions in excess of the amount permitted by law; and the State Board of Elections having read the report of the Hearing Officer and hearing the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. The respondents violated Section 5/9-8.5 and 5/9-25 of the Election Code; and

IT IS HEREBY ORDERED:

1. The recommendation of the Hearing Officer and the General Counsel is adopted; and
2. The respondents comply with all reporting requirements in the future, and
3. Failure to do so will subject the Committee to a civil penalty not to exceed \$5000.00 for failure to comply with a Board Order, and
4. Board staff shall review reports filed for any possible violations of contribution limits and make any necessary penalty assessments, and
5. The effective date of this Order is June 15, 2011, and
6. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 6/15/2011


Bryan A. Schneider, Chairman

CHICAGO

11 MAR 24 '11 8 01

STATE BOARD OF ELECTIONS

LAW OFFICE OF JOHN FOGARTY, JR.

4043 North Ravenswood, Suite #226

Chicago, IL 60613

(773) 549-2647 (phone)

(773) 681-7147 (fax)

fogartyjr@gmail.com

2358

March 23, 2011

Via Facsimile

Illinois State Board of Elections

100 W. Randolph, Suite 14-100

Chicago, Illinois 60601

Re: Save 5 Acres for Barrington Hills Trustees
Committee ID 23119

Dear Sir or Madam:

Please be advised that I represent the Save 5 Acres for Barrington Hills Trustees political committee ("the Committee") and its affiliated candidates. The Committee is a Political Action Committee formed to support certain independent candidates for Barrington Hills Village Trustee in the April 5, 2011 Consolidated Election, namely, Patty Meroni, Karen Selman and Joseph Messer ("the Candidates").

On March 17, 2011, the Committee filed a Schedule B-1 disclosing a number of expenditures made by the Committee on behalf of the Candidates. This filing was made inadvertently. Rather than be disclosed on a Schedule D-1, these expenditures would be (and will be) properly disclosed on the Committee's next Quarterly Report, on a Form D-2. While the Committee had wished to simply withdraw this erroneously-filed Schedule B-1, it was not able to do so within the confines of the IDIS system. This letter is therefore intended to function as such a withdrawal, if that is possible. At any rate, while the Committee regrets any confusion this error may have caused, please note that this error was made in the spirit of over-disclosure of expenditures that are not due to be disclosed until the Committee's next Quarterly Report.

Further, on March 17, 2011, each of the Candidates filed a D-1 Statement of Organization as a Barrington Hills Village Trustee candidate and a Schedule A-1 reflecting a contribution from Dr. Barry LeCompte. By these filings, that contribution was shown to have been received by each of the Candidates, and then transferred out to the Committee. These D-1 and A-1 filings were made by each of the Candidates in good faith, in the spirit of disclosure, and in an attempt to comply with the Campaign Finance Act, insofar as Dr. LeCompte's contributions may have triggered each of the Candidates' obligation to file a Statement of Organization. It must be noted, and as you know, significant amendments to the Campaign Finance Act and its administrative rules have recently gone into effect. Each D-1 and A-1 filing



was made in an attempt to comply with those rules and to repair a perceived disclosure violation alleged by political opponents of the Candidates during the height of the campaign season.

In order to eliminate further confusion and to obviate any perceived violation of the Campaign Finance Act, the Committee and the Candidates have now simply returned the subject contributions to Dr. LeCompte. These returned contributions are hereby disclosed, and will further be reflected on the Committee's next Quarterly Report. While the IDIS system will not permit a withdrawal of documents once they are filed, this letter is intended as a functional withdrawal of the Candidates' D-1 and A-1 filings, to the extent that is possible. Also toward that end, and to attempt to eliminate further confusion, each of the Candidates will file a final report for each of the D-1s each has filed.

Please ensure that a copy of this correspondence is placed in the file for each of the subject political committees: Save 5 Acres for Barrington Hills Trustees, Committee ID 23119; Patty Meroni for Barrington Hills Village Trustee, Committee ID 23548; Karen Selman for Barrington Hills Village Trustee, Committee ID 23547; and Joe Messer for Barrington Hills Village Trustee, Committee ID 23549. Please also note that any technical violation of any provision of the Campaign Finance Act that has occurred by virtue of these circumstances is purely inadvertent, and that the Committee and the Candidates have made every good faith effort to comply with the law.

Sincerely,



John G. Fogarty, Jr.

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 MA 038

Patty Meroni for Barrington Hills Village Trustee 23548

Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing

The D-1, Statement of Organization and
A Schedule A-1 for the 1st Quarter of 2011

The D-1 Statement of Organization was received by the Board on 3/17/11, 12 days late, resulting in a civil penalty assessment of \$600. The Committee has also been assessed a \$2,500 civil penalty for delinquently filing a Schedule A-1 on 3/17/11, 17 days late. The total assessment is \$3,100.

The Respondent was represented by attorney John Fogarty Jr. at the August 31 appeal hearing. Also in attendance was Patty Meroni.

John Fogarty indicated that the committee Patty Meroni for Barrington Hills Village Trustee was created on 3/17/11 in an effort to remedy a disclosure violation alleged against Save5Acres for Barrington Hills Trustees, which was created to support the candidacies of Patty Meroni, Karen Selman, and Joe Messer for Barrington Hills Trustee. Mr. Fogarty also indicated that the alleged violation was fully litigated before the Board in 11 CD 006. Each of the candidates in a response to the alleged violation filed a D-1, Statement of Organization, which created 3 separate candidate committees, one for each candidate. Each of the candidate committees also filed a Schedule A-1 to disclose the receipt of a \$5,000 contribution from Benjamin LeCompte III. The candidates did this in an abundance of caution and in an effort to comply with the Campaign Finance Law. Each of the candidates endorsed the \$5,000 check over to their political committee Save5Acres for Barrington Hills Trustees. All three of the candidate committees only had one receipt and one transfer and they were both in relation to this \$5,000 check. The candidate committees had no other receipt and or expenditures. Mr. Fogarty and these 3 candidates believe that the filing of the Statement of Organizations for these candidate political committees was not necessary and an attempt to withdraw these filings was made in a letter of correspondence filed with the State Board of Elections dated 3/23/11 (Exhibit B attached to the appeal affidavit). The candidate committees subsequently filed a Final Report. Mr. Fogarty indicated that these contributions are subject to res judicata in that Save5Acres for Barrington Hills Trustees was found to be in violation of 5/9-8.5 (contribution limits) and 5/9-25 (contribution in the name of another) of the Election Code in relation to the three \$5,000 contributions that Benjamin LeCompte III gave to Patty Meroni, Karen Selman and Joe Messer. All three \$5,000 contributions were ultimately returned to Mr. LeCompte by Save5Acres for Barrington Hills Trustees out of caution that the contributions were possibly not disclosed correctly.

The Committee, Patty Meroni for Barrington Hills Village Trustee, voluntarily filed the Statement of Organization on 3/17/11 even if it was in an abundance of caution and in an attempt to remedy a disclosure violation of another political committee. The Board in the past has viewed the voluntary filing of the Statement of Organization as establishing an obligation to file all required reports regardless of

whether the "committee" qualified as a political committee. In order to be consistent with previous Board decisions in relation to the voluntary filing of a Statement of Organization, I recommend the appeal be denied for a lack of an adequate defense in relation to the Statement of Organization being filed 12 days late. If this recommendation is accepted by the Board the civil penalty for the delinquent filing of the Statement of Organization would be \$600. In relation to the \$5,000 contribution from Benjamin LeCompte III I also recommend the appeal be denied for a lack of an adequate defense. The Committee has an obligation to file all required reports. Patty Meroni for Barrington Hills Village Trustee received a contribution of more than \$1,000 and they did not timely file a Schedule A-1. Save5Acres for Barrington Hills Trustees is a separate committee and I do not believe res judicata would apply to two different committees even if they share a similar candidate. In addition, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$250. If these recommendations are accepted by the Board, a \$850 civil penalty will be due and owing. However, since the Committee has filed a Final Report, I further recommend that should the Committee remain dissolved for a period of 2 years following the date of the Final Order imposing the penalty, the fine be abated.



Andy Nauman - Hearing Officer
September 9, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan Schneider, Chairman
Wanda Rednour, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Albert Porter
Jesse Smart
Robert Walters

Patty Meroni for Barrington Hills Village Trustee
Patricia Meroni
5 Bellwood Dr
Barrington, IL 60010-2653

ID# 23548

Dear Patty Meroni for Barrington Hills Village Trustee:

This letter is to inform you that this committee failed to file its D-1 Statement of Organization during the requisite filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on March 17, 2011, 12 day(s) late. As such, this committee has been assessed a fine of \$600.

In addition, this committee failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Benjamin LeCompete III	2/10/2011	\$2500	\$5000	3/17/2011	17

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$2500 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$250, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

STATE BOARD OF ELECTIONS

11 JUL 29 PM 1:45

State of Illinois)
County of Cook)

**BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**

In The Matter Of
Illinois State Board Of Elections.
Complainant

v.

Patty Meroni For Barrington Hills Trustee,
Respondent.

No. 11MA 038

APPEAL AFFIDAVIT

I, Patty Meroni, the Chairman of Patty Meroni For Barrington Hills Trustee ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. The State Board of Elections has generated correspondence to the Committee alleging violation of the Campaign Finance Act by filing a tardy Form D-1 and Schedule A-1 with respect to a \$5,000 contribution by Dr. Benjamin LeCompte. For reasons that follow, there is no cause for the assessment, and the Committee requests the allegations be dismissed.

2. The Committee was created on March 17, 2011, in an effort to remedy a disclosure violation alleged against the Save 5 Acres For Barrington Hills Trustee political committee ("Save 5"), which was created to support the candidacies of three candidates for Barrington Hills Trustee: Patty Meroni, Karen Selman, and Joe Messer ("the Candidates").

3. The gravamen of the violation alleged against Save 5 was the contribution of \$5,000 by Dr. Benjamin LeCompte to each of the Candidates, each of whom, in turn, signed over

those contributions to Save 5. This alleged violation was fully litigated before the State Board of Elections, in matter number 11 CD 006. (Attached hereto and made part hereof as Exhibit A are the Hearing Officer's Recommendation and the Final Order of the Board). While the actions of the Candidates herein represented a technical violation of the Campaign Finance Law, the hearing Officer specifically found that there was no intent on the part of the Candidates to circumvent the law.

4. In the course of the litigation of the alleged Save 5 violation, each of the Candidates, in an abundance of caution, filed a D-1 Statement of Organization, and a Schedule A-1 to disclose the LeCompte contribution. These documents were filed on March 17, 2011, in an effort to comply with the Campaign Finance Law, insofar as the LeCompte contributions may have viewed as triggering each of the Candidates' obligation to file a Statement of Organization for themselves individually.

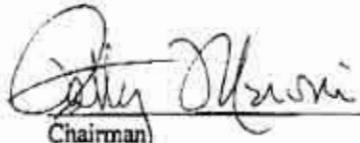
5. However, the individual Candidates' D-1s were not necessary, and by correspondence dated March 23, 2011, each of the Candidates declared an intent to revoke the D-1s for their individual committees. (A copy of that correspondence is attached hereto as Exhibit B.)

6. Because the Candidates' committees were never utilized, were created only in an attempt to remedy the alleged LeCompte violation, existed at all for only one week, and have all been finally closed, the Committee has meritorious grounds to appeal the Committee's alleged disclosure violation, and requests a closed hearing in which to do so.

7. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statement set forth above are true and correct, except as

to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

8. Affiant further sayeth not.


Chairman
Patty Meroni For Barrington Hills Trustee

BEFORE THE ILLINOIS STATE BOARD OF ELECTIONS

In re the complaint of

George L. Schueppert,

Complainant

11CD 006

-v-

Save 5 Acres of Barrington Hills,
 Jason Elder, Dan Lundmark, E
 Margaret Eich, Karen Rosene, John
 Rosene, Patty Meroni, Karen N.
 Selman, Joseph Messer, Benjamin B
 LeCompte III

Respondent

HEARING EXAMINER'S REPORT AND RECOMMENDED DECISIONIntroduction

A closing preliminary hearing was conducted in this matter which resulted in an order issued by State Board of Elections' Chairman Bryan A. Schneider dated March 22, 2011. In the order, the Board found that the complaint was filed on justifiable grounds and that a public hearing was to be conducted. The matter was assigned to this Hearing Officer and a public hearing was held, beginning on March 29, 2011. The Complainant was represented by attorney Richard Means and Respondents were represented by attorney John Fogarty. Attorney Adam Lasker also entered an appearance on behalf of the Respondents but was not present at the hearings.

Background

On or around February 10, 2011, Dr. Benjamin LeCompte III of Barrington Hills issued three individual checks in the amount of \$5,000 each to candidates Patty Meroni, Karen Selman and Joe Messer. (Complainant's Group Ex. 1). All of these candidates



were running as village trustee candidates in the village of Barrington Hills. Each of the candidates was running as independent candidates but were aligned with Save 5 Acres and identified as candidates supported by the committee. After receipt of the checks, each of the three candidates endorsed their checks over to the Save 5 Acres Committee and the checks were deposited into the Committee's account. (Complainant's Group Ex. 1) The checks were reflected on the Committee's Schedule A-1 as contributions from the candidates rather than from Dr. LeCompte. (Complainant's Group Ex. 2 and Ex. 3). At the time the funds were received, the committee was formed as a candidate committee.

Thereafter, amid what appears to be significant confusion over what type of committee was the correct form, subsequent amended D-1 statements were filed. (Complainant's Group Ex. 7). The amendments include a January 4, 2011 amendment which changed the committee to a Political Party Committee supporting candidates Patty Meroni, Karen Selman, Joseph Messer, and Dawn Davis. On March 1, 2011, an amendment was filed changing the committee to a PAC. On March 11, 2011, an amendment was filed changing the committee back to a Political Party Committee without the name of Dawn Davis as a candidate being supported by the committee. Additionally, on March 17, 2011, each of the candidates who had received the \$5,000 checks from Dr. LeCompte, Patty Meroni, Karen Selman and Joe Messer each filed individual D-1 statements and included the receipt of the \$5,000 check from Dr. LeCompte as well as the transfer to the Respondent Committee. Thereafter, the committee refunded the entire \$15,000 to Dr. LeCompte. (Complainant's Ex. 4). After the \$15,000 was refunded to Dr. LeCompte, Complainant sought to amend his complaint to address the reporting of the refunded \$15,000. It was determined by this Hearing Officer that the reporting of the refunded money was beyond the scope of this hearing. (Complainant's Ex. 6).

Violations alleged by the Complainant

It is the complainant's contention that the receipt of the individual \$5,000 checks by the candidates and their subsequent deposit into the Respondent committee without an indication that Dr. LeCompte was the true source of the funds constituted a violation of Section 9-25 of the Election Code. Specifically, complainant alleges that by making contributions to the candidates and reflecting the source of the contributions as the candidates, the identity of Dr. LeCompte was never disclosed. Therefore, according to the Complainant, the contributions were from an anonymous source. Complainant further alleges that the contributions from Dr. LeCompte exceeded the limits from a single donor as set forth in Section 9-8.5 of the Election Code. Finally, Complainant alleges that the failure to disclose Dr. LeCompte as the true contributor was intentional and constituted a willful filing of false information in violation of Section 9-26 of the Election Code.¹ According to Complainant, the Respondents knew the true source of the funds and chose to inaccurately reflect the source as the candidates so as to "launder" the funds. Finally, complainant alleges that any subsequent action to correct the violations did not change the fact that the violation occurred in the first instance.

Several witnesses were called by the Complainant in support of his complaint. Among the witnesses was the donor of the checks, Dr. Benjamin B. LeCompte, III. Dr. LeCompte testified that he donated to the individual candidates because he preferred to support the candidates as individuals and not as a political party. (Tr. 3/29/11, p. 52). In addition to giving Patty Meroni, Joe Messer and Karen Selman \$5,000 contributions, he also gave a candidate by the name of Joseph Steiper who was not aligned by the others a \$5,000 contribution. Dr. LeCompte testified that he did not intend to circumvent the reporting process. It was also Dr. LeCompte's understanding that at the time he gave the donations, the committee had become a political party committee and that he

¹ Complainant attempted to introduce as Complainant's Exhibit 5, correspondence between the attorney for Barrington Hills and Dr. LeCompte's attorney regarding a zoning matter to establish that there was a reason Dr. LeCompte made the contributions and a reason for the source of the contributions to be hidden. The issue as to whether Dr. LeCompte had disagreements or legal proceedings with various village officials who were not party to the instant matter was beyond the scope of the hearing and outside the jurisdiction of this Board. Therefore, Complainant's Exhibit 5 was not admitted into evidence.

and his wife could have each given \$7,500 to the committee but he chose not to do so because it was his desire to donate to individual candidates. (Tr. 3/29/11 p. 58). Dr. LeCompte also testified that \$15,000 was returned to him by the committee.

Also called to testify was Casey Justice. Ms. Justice testified that she was employed by Save 5 Acres in January 2011 to create mailers, fliers and advertisements and to "corral" volunteers. Ms. Justice identified the person who prepared the campaign disclosure documents of the committee as Patty Boni. As a reminder when preparing the A-1 reports, Ms. Justice put a pink sticky note on the wall that advised Ms. Boni that any donation of \$1,000 or more must be reported within 24 hours. Ms. Justice also testified that she showed Ms. Boni how to use the IDIS system. Finally Ms. Justice testified that she spoke with Mr. Meyer, a campaign disclosure staff person with the State Board of Elections, to confirm that they were filing their A-1s correctly and he advised her that the committee should become a PAC. However, she had no specific knowledge of the three donations at issue in this matter, until the complaint was filed.

Next to testify was Steven Knoop, a financial advisor and an active member of the community, who offered to talk with Dr. LeCompte regarding a donation. He and candidate Karen Selman went to Dr. LeCompte's house and received the checks. Mr. Knoop suggested that he write the checks directly to the candidates because Dr. LeCompte had a "sensitivity" to the Save 5 Acres moniker. He then turned the checks over to candidate Patty Meroni at a candidate's coffee. He played no part in the manner in which the contributions were reported.

Candidate Joseph Messer was also called to testify. When he received the check from Dr. LeCompte he thought it would be expedient to sign it over to the committee's account and it would be reported and managed from there. (Tr. 3/29/11, p. 88). According to Mr. Messer's testimony, he had no intent to circumvent reporting requirements.

Candidate Karen Selman testified that she accompanied Mr. Knoop when he went to Dr. LeCompte's house to receive the checks. Dr. LeCompte indicated that he did not want to make contributions to the committee and would only provide checks to

the individuals. Ms. Selman further testified that she advised Dr. LeCompte that she was going to endorse her check over to the committee and in fact endorsed it in Dr. LeCompte's garage.

Candidate Patty Meroni also testified. She indicated that she was the office manager for her husband's law firm, Meroni and Meroni and that she believed that Casey Justice may have completed some of the campaign disclosure filings for Save 5 Acres. She further testified that Ms. Justice helped their employee Patty Boni learn how to prepare campaign disclosure reports. Ms. Meroni was not asked anything about the circumstances behind her endorsement of the check to the committee.

Daniel Lundmark, co-chair of the committee until February also testified. He had no specific knowledge of the contributions made by Dr. LeCompte until the complaint was filed.

At the hearing, it was determined that Patty Boni was the individual who actually prepared the Schedule A-1 at issue. However, she was unavailable for the March 29, 2011 hearing as she was out of town. The hearing was continued until she was available.²

At the reconvened hearing on April 14, 2011, Ms. Boni testified that she worked for the law firm of Meroni and Meroni and was responsible for book work and data entry. In addition, she was responsible for preparing and filing the campaign disclosure forms for Save 5 Acres. She learned how to use the software from Casey Justice and had printed rules and a booklet from the State Board of Elections. She was not familiar with the committee's contribution limits. When she received the checks from the candidates that were endorsed over to the committee, she identified the candidates as the donors because that is how the checks were made out. She did not receive any directions from anyone as to who should be reflected as the source of the three \$5,000 checks and was

² The reason for Ms. Boni's absence was a source of substantial discussion. Complainant alleged that Ms. Boni's unavailability was intentional. In an effort to address the issue, Respondent offered Ms. Boni's affidavit. Inasmuch as Ms. Boni was available for the continued hearing on April 14, 2011, the reason for her initial unavailability was moot.

not aware that one of the purposes of campaign finance laws is to show the true source of contributions.

Subsequent to the hearing, the parties were given leave to file the various D-1 statements filed by the committee along with a letter from Respondent's attorney explaining the various filings.

APPLICABLE STATUTES

The complaint alleges that Respondents violated Sections 9-25, 9-26 and 9-8.5 of the Election Code.

Section 9-25 provides as follows:

Sec. 9-25. No person shall make an anonymous contribution or a contribution in the name of another person, and no person shall knowingly accept any anonymous contribution or contribution made by one person in the name of another person. Anonymous contributions shall escheat to the State of Illinois. Any political committee that receives such a contribution shall forward it immediately to the State Treasurer. (Source: P. A. 78-1183.) 10 ILCS 5/9-25

Section 9-26 provides as follows:

Sec. 9-26. Willful failure to file or willful filing of false or incomplete information required by this Article shall constitute a business offense subject to a fine of up to \$5,000. Willful filing of a false complaint under this Article shall constitute a Class B misdemeanor. A prosecution for any offense designated by this Article shall be commenced no later than 18 months after the commission of the offense. The appropriate State's Attorney or the Attorney General shall bring such actions in the name of the people of the State of Illinois. (Source: P.A. 90-737, eff. 1-1-99.) 10 ILCS 5/9-26

Section 9-8.5 provides, in pertinent part, as follows:

Sec. 9-8.5. Limitations on campaign contributions.
(a) It is unlawful for a political committee to accept contributions except as provided in this Section.
(b) During an election cycle, a candidate political committee may not accept contributions with an aggregate value over the following: (i) \$5,000 from any individual, (ii) \$10,000 from any corporation, labor organization, or association.
10 ILCS 5/9-8.5

Respondent's Position

Respondent alleges that there was never, at any time, an attempt to hide the fact that Dr. LeCompte was the true source of the three checks to the candidates.

Respondent further argues that there was never an attempt to "launder" the funds by paying them through the trustee candidates. Rather, the Respondent contends, the

inaccuracy in reporting the true source of the contributions arose out of confusion on the part of the candidates as well as on the part of the parties responsible for preparing the campaign disclosure documents. Respondent contends that the actions taken by the Respondent committee and candidates subsequent to the filing of the first A-1 evidenced the Respondent's sincere effort to correct its reporting problems, however ineffective these actions may have been. Additionally, all funds donated by Dr. LeCompte were ultimately returned in an effort to fully rectify any problems that occurred as a result of the contributions. Finally, according to Respondent, the changes in the reporting requirements since January, 2011 exacerbated already confusing reporting requirements.

DISCUSSION

The evidence clearly and unequivocally establishes that (1) the three \$5,000 checks paid to trustee candidates Joseph Messer, Karen Selman and Patty Meloni came from one individual source, Dr. LeCompte. (2) the aggregate value of the checks from Dr. LeCompte was \$15,000. (3) Dr. LeCompte, being the actual donor, should have been identified as the source of the contributions on the Committee's Schedule A-1 regardless of what kind of committee Save 5 Acres was at the time of the contributions, and (4) the contribution in the amount of \$15,000 from a single donor exceeds the amount the committee was permitted to accept. Therefore, it is equally clear that the committee violated Sections 9-25 and 9-8.5 of the Election Code.

However, there is nothing in the record to suggest that the reporting violations were in any way willful or intentional. Rather, the evidence clearly establishes that the reporting violations were a result of inexperience and confusion. Therefore, there was no violation of Section 9-26.

RECOMMENDATION

For the foregoing reasons, it is my recommendation that the State Board of Elections find that Respondents violated Section 9-8.5 and 9-25 of the Election Code. It is my further recommendation that the State Board of Elections issue an order directing the Respondent to comply with all reporting requirements in the future and notifying the Respondent that failure to comply with a Board Order will subject the Respondent to a civil penalty not to exceed \$5,000.

Respectfully submitted,

Barbara Goodman /s/

Barbara Goodman, Hearing Officer
June 6, 2011

STATE OF ILLINOIS)
)
) SS
 COUNTY OF COOK)

STATE BOARD OF ELECTIONS
 STATE OF ILLINOIS

In the Matter Of:)
)
 George L. Schueppert,)
)
 Complainant(s),)
 vs.) 11 CD 006
)
 Save 5 Acres, J. Elder, D. Lundmark,)
 E.M. Eich, K. Rosene, J. Rosene,)
 P. Meroni, K. Selman, J. Messer, &)
 B. LeCompte)
 Respondent(s).)

FINAL ORDER

TO: George L. Schueppert	Save 5 Acres	Jason Elder	Dan Lundmark
97 Otis Rd	PO Box 339	273 Leeds Dr.	23 Bow Lane
Barrington Hills, IL 60010	Barrington, IL 60010	Barrington Hills, IL 60010	Barrington Hills, IL 60010
E Margaret Eich	Karen & John Rosene	Patty Meroni	
7 Bellwood Dr	208 A Braeburn Rd	5 Bellwood Dr	
Barrington Hills, IL 60010	Barrington Hills, IL 60010	Barrington Hills, IL 60010	
Karen Selman	Joseph Messer	Benjamin LeCompte III	
116 Brinker Rd	21 Oakdene Dr	350 Bateman Rd	
Barrington Hills, IL 60010	Barrington Hills, IL 60010	Barrington Hills, IL 60010	

This matter coming to be heard this 14th day of June, 2011, following a Public Hearing of a Complaint filed pursuant to "An Act to Regulate Campaign Financing" (Illinois Compiled Statutes, 10 ILCS 5/9-1 *et seq.*, herein referred to as the "Act"), alleging that the respondent(s) violated 10 ILCS 5/9-25, 5/9-26 and 5/9-8.5 in that the Respondent committee made contributions in the name of another, filed false campaign disclosure reports and received contributions in excess of the amount permitted by law; and the State Board of Elections having read the report of the Hearing Officer and hearing the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

- I. The respondents violated Section 5/9-8.5 and 5/9-25 of the Election Code: and

IT IS HEREBY ORDERED:

1. The recommendation of the Hearing Officer and the General Counsel is adopted; and
2. The respondents comply with all reporting requirements in the future, and
3. Failure to do so will subject the Committee to a civil penalty not to exceed \$5000.00 for failure to comply with a Board Order, and
4. Board staff shall review reports filed for any possible violations of contribution limits and make any necessary penalty assessments, and
5. The effective date of this Order is June 15, 2011, and
6. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 6/15/2011


Bryan A. Schneider, Chairman

CHICAGO

11 MAR 24 '11 8 01

STATE BOARD OF ELECTIONS

LAW OFFICE OF JOHN FOGARTY, JR.
4043 North Ravenswood, Suite #220
Chicago, IL 60613
(773) 549-2647 (phone)
(773) 681-7147 (fax)
fogartyjr@gmail.com

2356

March 23, 2011

Via Facsimile

Illinois State Board of Elections
100 W. Randolph, Suite 14-100
Chicago, Illinois 60601

Re: Save 5 Acres for Barrington Hills Trustees
Committee ID 23119

Dear Sir or Madam:

Please be advised that I represent the Save 5 Acres for Barrington Hills Trustees political committee ("the Committee") and its affiliated candidates. The Committee is a Political Action Committee formed to support certain independent candidates for Barrington Hills Village Trustee in the April 5, 2011 Consolidated Election; namely, Patty Meroni, Karen Selman and Joseph Messer ("the Candidates").

On March 17, 2011, the Committee filed a Schedule B-1 disclosing a number of expenditures made by the Committee on behalf of the Candidates. This filing was made inadvertently. Rather than be disclosed on a Schedule B-1, these expenditures would be (and will be) properly disclosed on the Committee's next Quarterly Report, on a Form D-2. While the Committee had wished to simply withdraw this erroneously-filed Schedule B-1, it was not able to do so within the confines of the IDIS system. This letter is therefore intended to function as such a withdrawal, if that is possible. At any rate, while the Committee regrets any confusion this error may have caused, please note that this error was made in the spirit of over-disclosure of expenditures that are not due to be disclosed until the Committee's next Quarterly Report.

Further, on March 17, 2011, each of the Candidates filed a D-1 Statement of Organization as a Barrington Hills Village Trustee candidate and a Schedule A-1 reflecting a contribution from Dr. Barry LeCompte. By these filings, that contribution was shown to have been received by each of the Candidates, and then transferred out to the Committee. These D-1 and A-1 filings were made by each of the Candidates in good faith, in the spirit of disclosure, and in an attempt to comply with the Campaign Finance Act, insofar as Dr. LeCompte's contributions may have triggered each of the Candidates' obligation to file a Statement of Organization. It must be noted, and as you know, significant amendments to the Campaign Finance Act and its administrative rules have recently gone into effect. Each D-1 and A-1 filing



was made in an attempt to comply with those rules and to repair a perceived disclosure violation alleged by political opponents of the Candidates during the height of the campaign season.

In order to eliminate further confusion and to obviate any perceived violation of the Campaign Finance Act, the Committee and the Candidates have now simply returned the subject contributions to Dr. LeCompte. These returned contributions are hereby disclosed, and will further be reflected on the Committee's next Quarterly Report. While the IDIS system will not permit a withdrawal of documents once they are filed, this letter is intended as a functional withdrawal of the Candidates' D-1 and A-1 filings, to the extent that is possible. Also toward that end, and to attempt to eliminate further confusion, each of the Candidates will file a final report for each of the D-1s each has filed.

Please ensure that a copy of this correspondence is placed in the file for each of the subject political committees: Save 5 Acres for Barrington Hills Trustees, Committee ID 23119; Patty Meroni for Barrington Hills Village Trustee, Committee ID 23548; Karen Selman for Barrington Hills Village Trustee, Committee ID 23547; and Joe Messer for Barrington Hills Village Trustee, Committee ID 23549. Please also note that any technical violation of any provision of the Campaign Finance Act that has occurred by virtue of these circumstances is purely inadvertent, and that the Committee and the Candidates have made every good faith effort to comply with the law.

Sincerely,



John G. Fogarty, Jr.

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11-AJ-013

United Party of Elmwood Park 23129
Respondent


REPORT OF HEARING EXAMINER
Appeal of Civil Penalty Assessment for Delinquently Filing
A Schedule A-1 for the 2nd Quarter of 2011

This committee received a \$22,000 contribution on 4/15/11 and reported it on a paper Schedule A-1 received by the Board on 4/25/11, 1 day late. Additionally, the Committee had previously been assessed a \$100 civil penalty (not appealed, stayed) for delinquently filing the December 2010 Semi-Annual Report. The total assessment is \$11,100.

The Respondent was represented by attorney John Fogarty Jr. at the August 31 appeal hearing. Also in attendance was John Lannefeld the treasurer of the Committee.

John Lannefeld indicated that he was having difficulty trying to convert from IDIS 1.2 to IDIS 2.0. He stated that the State Board's IT staff had to reconfigure his system. Mr. Lannefeld also indicated that he had filed Schedule A-1s on paper in the past and that he had no problem filing them in that format. However, the electronic filing was another issue. He stated that in mid April he spoke with an employee of the State Board of Elections concerning whether the Committee was required to file its reports electronically and was informed that the Committee was not required to file electronically. He subsequently found out that he was required to file electronically and the reports have been filed electronically since that point and time. Mr. Fogarty indicated that the Committee had no intent to not abide by the campaign finance laws or to hide this contribution. The contribution was received after the election and unfortunately the Committee filed the report one day late. The Committee is of the belief that there was little prejudice to any candidate or the general public because the contribution was received after the election and the report was only filed 1 day late.

The United Party of Elmwood Park is required to file its reports electronically. However I do not see this as being an electronic filing issue in relation to filing the Schedule A-1 one day late. On the appeal affidavit and in the appeal hearing Mr. Lannefeld indicated that he was not sure if the Committee was required to file electronically or not. The Committee filed the reports on paper and at a later date realized that electronic filing would have been appropriate. In review of the Schedule A-1 that was submitted on 4/25/11, it appears the report was faxed and not prepared with IDIS 1.2 or IDIS 2.0. Furthermore, the Committee did not file any reports electronically until 5/19/11 which would have been after they received a letter dated 5/2/11 from the State Board of Elections informing them that it was required to file its reports electronically. I recommend the appeal be denied for a lack of an adequate defense. In addition, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$1,100. If this recommendation is accepted by the Board, the stay will be lifted from the earlier civil penalty and the total assessment of \$1,200 will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$6,147.22.)


Andy Nauman – Hearing Officer
September 8, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBE

Complainant(s),

Vs.

Case No. 11.7503

United Party of Elmhurst Park
Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S)

or

☒ RESPONDENT(S)

John Fogarty

(Insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

Law Office of John Fogarty

Address:

4043 N. Ravenswood, Ste. 226

City/State/ZIP

Chicago, IL 60613

Telephone:

773-549-2647

FAX No.:

773-681-7147

EMAIL:

john@fogartylawoffice.com

Will you accept service of documents via FAX transmissions?

Check one: ☒ Yes ☐ No


Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

United Party of Elmwood Park
John Lannefeld
2845 N 74th Ave
Elmwood Park, IL 60707

ID# 23129

Dear United Party of Elmwood Park:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Silvestri for Cook Co Commissioner	4/15/2011	\$11,000	\$22,000	4/25/2011	1

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$11000 for delinquently filing Schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1100, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

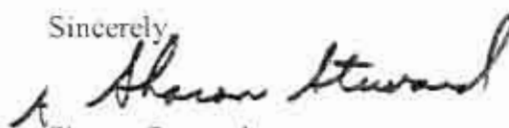
If the above listed violation is not appealed, and since this is a subsequent violation, the previously stayed fine(s) for delinquent filing is now also required to be paid by the committee within 30 days of the issuance of the Final Board Order:

Reporting Period	Report Type	Previous Fine Amount
July 1 through December 31, 2010	Semi-Annual	\$100
TOTAL AMOUNT NOW DUE		\$1200

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward

Director, Campaign Disclosure Division

SS: jr

Enclosures: appeal packet

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

RECEIVED

JUL 28 2011

State of Illinois)
County of Cook)

State Board of Elections

**BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**

In The Matter Of)
Illinois State Board Of Elections,)
Complainant)

v.)

United Party of Elmwood Park,)

Respondent.)

No. 11AJ013

APPEAL AFFIDAVIT

I, John Lannefeld, the Treasurer of the United Party of Elmwood Park ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. As for the alleged Silvestri for Cook County Commissioner violation, said contribution was received on April 15, 2011, and the Committee did file an A-1 for this contribution, but that filing was made 1 day late. The Committee experienced difficulty in filing not only this A-1 but also their Quarterly Report for the first quarter of 2011, as a result of the recent changes in the campaign finance laws. Specifically, the Committee experienced confusion as to where to file its disclosure reports, and how to file its disclosure reports.

2. In fact, in mid-April, I spoke with an individual at the State Board of Elections about how to file reports for the Committee, either on paper, or by electronic filing. I was unsure about which format was appropriate, and I was confused as to how to properly file electronically. I had filed all of the Committee's previous documents - including two A-1s - on paper. I was

informed that I would be able to file on paper, and did so for the Quarterly Report for the first quarter of 2011, and for this A-1. I later understood that electronic filing would have been the appropriate manner of filing, and have since filed both the Quarterly Report and the A-1 in question electronically.

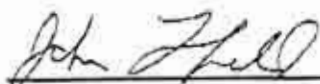
3. The Committee had and has no intent whatsoever to not abide by the campaign finance laws. Indeed, it previously timely filed 2 A-1 reports in advance of the April 5th Consolidated Election (on January 26, 2011 and March 11, 2011), thereby giving any political opponent or member of the public notice of large contributions to the Committee. In filing A-1s for these other contributions, and by reporting these contributions on its semi-annual and quarterly reports, the Committee has demonstrated that it fully intended to comply with the Campaign Finance Law, and to live within the spirit of the Campaign Finance Law.

4. Similarly, there was no prejudice to any candidate in the Consolidated Election, or to the general public, as the result of this A-1 being filed one day late. The contribution at issue here occurred on April 15, 2011 - 10 days after the Consolidated Election.

5. Given that I experienced confusion in dealing with electronic filing, because the Committee had previously timely filed A-1s on paper, because this A-1 was for a contribution that was not made in a pre-election period, and because this A-1 was only 1 day late, the Committee respectfully requests a hearing on the assessment proposed by the State Board of Elections.

6. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statement set forth above are true and correct, except as to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

7. Affiant further sayeth not.



Treasurer

United Party of Elmwood Park

STATE OF ILLINOIS
COUNTY OF SANGAMON

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections

Complainant

v.

11 MA 060

Mason County Democratic Central Committee

ID# 309

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
the June 2011 Quarterly Report and Schedule A-1 Reports

The Quarterly Report was received by the Board on July 18, 2011, 1 day late, resulting in a civil penalty assessment of \$75. The Committee received a \$1,000 contribution on 5/14/11 and another \$1,000 contribution on 6/19/11, and reported both on a Schedule A-1 received by the Board on July 18, 2011, 39 and 15 days late respectively, resulting in civil penalty assessments of \$500 and \$500 respectively. Additionally, the Committee had previously been assessed a \$100 civil penalty (appealed, appeal granted) for delinquently filing the December 2008 Semi-Annual Report. The total assessment is \$1,075.

Carol Tomlin, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Ms. Tomlin states the Quarterly Report was mailed by her on July 11, along with her personal mail. She blames the US Postal Service for delivering the Report late, and includes a copy of a letter from the Postal Service detailing some difficulties with her mail delivery. In regards to the delinquent A-1 filings, Ms. Tomlin admits that the Committee was unaware of the filing requirement, since this was the first time the Committee had received any \$1,000 contributions.

In regards to the late Quarterly Report, the envelope containing the Committee's Report was received by the Board without a postmark. Section 100.125 of the Board's Rules and Regulations states in part that if, "...as part of the committee's appeal of the civil penalty assessment, it is alleged by the treasurer, chairman or candidate on a signed and notarized affidavit verifying that the report was mailed more than 72 hours prior to the filing deadline, and this is the first time the committee has made this claim as part of its appeal, the presumptive date of receipt will be rebutted by the testimony contained in the affidavit and the report will be deemed to have been timely received." Since this Committee has not previously made such a claim, I recommend the appeal be granted. As for the two delinquent A-1 filings, I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication the violations were anything other than inadvertent and unintentional, and since this is the first set of A-1s filed delinquently by the Committee, I further recommend the civil penalty be reduced to 10% of the original assessment, or \$100. If these recommendations are accepted by the Board, the \$100 civil penalty will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$5,433.43.)



Tom Newman – Hearing Officer
September 27, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Bety J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

Mason County Democratic Central Cmte
Jay M Briney
626 E Washington St
Havana, IL 62644-1553

ID#309

Dear Mason County Democratic Central Cmte:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contributions and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b) of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on July 18, 2011, 1 day(s) late. As such, this committee has been assessed a fine of \$75.

In addition, this committee failed to timely file the Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>	<u>Fine Assessed</u>
IUOE Local 649	5/14/2011	\$1000	7/18/2011	39	\$500
IL Council of Carpenters PAC	6/19/2011	\$1000	7/18/2011	15	\$500

The committee is fined a **total** of \$1000 for delinquently filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines. Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$100, (10% of the total fine amount reflected above) if you do not choose to file an appeal under the Board's present policy. The reduced amount will be imposed and due with the issuance of a Final Board Order after the 30-day appeal period has expired (September 29). This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30**

State of Illinois)

County of MASON)

STATE BOARD OF ELECTIONS

11 SEP 12 AM 11:33

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:)

ILLINOIS STATE BOARD OF ELECTIONS,)

Complainant)

Vs.)

Case No. 11 MA060

MASON Co. Democratic Central Cmte)
Respondent(s).)

APPEAL AFFIDAVIT

I, CAROL TOMLIN, the TREASURER of the
(Name) (Chairman/Treasurer)

Mason Co Democratic Central Cmte.
(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

For LATE REPORT - I mailed promptly on July 11 along with my personal
mail. I know there is no postmark on the report you said arrived on
the 15th. I am blaming this on the U.S. Postal Service. (See enclosed
letter from them about my personal mail which caused me problems
with Chase credit. Please waive the \$75 late fee. As for the
A-1 Report - this is the 1st time we've had \$1000 donations. Guess
I just missed doing that one. Thought I only needed to report
it on my Qtrly Report. Won't make that
Mistake again. Sorry!

Signed and Sworn to by:

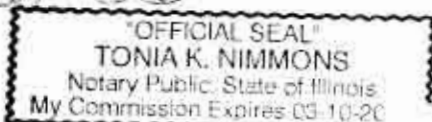
Tonia K. Nimmons

before me this 7th Day of

Sept, 2011

Carol Tomlin
(Signature of Chairman/Treasurer)

Tonia K. Nimmons
Notary Public



July, 27 2011

Postal Customer
29058 E CR 1500N
MASON CITY IL 62664

208 00038

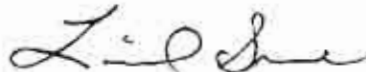
Dear Postal Customer

You recently mailed a letter that we were unable to deliver or return. When this occurs, the letter is sent to a Mail Recovery Center where employees are authorized to open the mail to determine if address information is available to return it to the rightful owner.

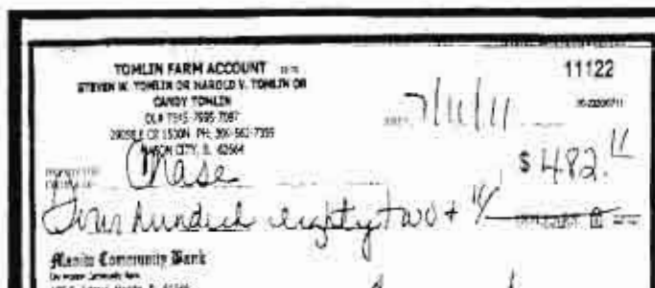
In support of this effort, the Postal Service has recently installed imaging equipment to expedite the return of undeliverable checks that arrive at one of our facilities. An electronic image of the check contained in your mail piece is shown below. Please be assured that to protect your personal information the scanned document is not retained and the original document has been shredded. Since we realize the importance of each piece of mail that is entrusted to our care, this correspondence is being provided for your records.

Our employees work very hard to provide prompt, accurate service; and we regret that we were unable to deliver your mail piece on this occasion. One way to help reduce instances when a mail piece cannot be delivered is to always include return address. In that way, if for any reason your letter cannot be delivered, we will be able to immediately return it to you. We appreciate your business and look forward to serving your future postal needs.

Sincerely



Lionel A. Snow, Manager
USPS Mail Recovery Center



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

10 AG 063

Personal PAC Inc 497
Respondent

REPORT OF HEARING EXAMINER

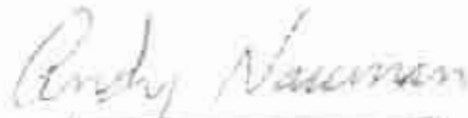
Appeal of Civil Penalty Assessment for Failing to Electronically File
A Schedule A-1 for the 2010 General Election

This committee received two contribution of \$1,000 on 10/4/10, and three contributions of \$10,000, \$1,000, and \$2,759 on 11/1/10, but failed to list these contributions on a Schedule A-1, resulting in a civil penalty assessment of \$15,759. In addition, this Committee had previously been assessed a \$200 civil penalty (appealed, granted) for delinquently filing the 2000 GP Pre-Election Report; a \$500 civil penalty (appealed, granted) for failing to file a Schedule A-1 for the 2002 GE; a \$500 civil penalty (appealed, granted) for failing to file a Schedule A-1 for the 2002 GE; a \$1,000 civil penalty (appealed, denied, reduced, paid) for failing to file a Schedule A-1 for the 2002 GE; a \$7,000 civil penalty (appealed, denied, reduced, paid) for failing to file a Schedule A-1 for the 2002 GE; a \$1,000 civil penalty (appealed, denied, reduced, paid) for failing to file a Schedule A-1 for the 2002 GE; a \$500 civil penalty (appealed, denied, reduced, paid) for failing to file a Schedule A-1 for the 2002 GE; a \$2,500 civil penalty (appealed, denied, reduced, paid) for failing to file a Schedule A-1 for the 2002 GE. The total assessment is \$15,759.

The Respondent was represented by Richard Means at the August 2 appeal hearing. Also in attendance was Terry Cosgrove the Executive Director of Personal PAC, and Megan Wiley the Executive Assistant of Personal PAC.

Mr. Means stated that Personal PAC has no defense on why a Schedule A-1 was not filed for the Barbara Gold and Caryn Skurnick \$1,000 contributions other than the committee received more than \$1.5 million in contributions during that reporting period and out of nearly 700 contributions they only failed to file these two contributions on a Schedule A-1. In relation to the Susan & Nicholas Pritzker (\$10,000), Alfred Ronan (\$1,000), and Bill Foster for Congress (\$2,759) contributions Megan Wiley testified that the committee made a clerical error when they reported the contributions received on 11/1/10. Ms. Wiley indicated that the contributions were received by the Committee after the 11/2/10 GE and the actual deposit date was 11/5/10. The hearing officer was shown a copy of a deposit slip for the 11/5/10 deposit and the corresponding bank statement for the deposit which indicates the committee would have deposited the contributions on 11/5/10. The Committee could not explain why the 11/1/10 receipt date was used, but Mr. Means indicated that since the contributions were received after the election that no Schedule A-1 were then required to be filed for these three contributions. The Committee amended the semi-annual report on 6/21/11 and reported that these three contributions were received on 11/5/10.

In relation to the Barbara Gold and Caryn Skurnick \$1,000 contributions I recommend the appeal be denied for lack of an adequate defense. In relation to the Susan & Nicholas Pritzker (\$10,000), Alfred Ronan (\$1,000), and Bill Foster for Congress (\$2,759) contributions the deposit slip and the bank statement indicate that the contributions were not deposited until 11/5/10. However, the contribution receipt date with respect to this period of time was to be deemed to have been received on the date the contribution was actually received not the deposit date. The Committee did not receive these contributions until after 11/2/10 as per Ms. Wiley testimony. Therefore, I recommend the appeal be granted on the Susan & Nicholas Pritzker, Alfred Ronan, and the Bill Foster for Congress contributions. My recommendation is that the appeal be granted in part and denied in part. However, since there is no indication that this violation was anything other than inadvertent and unintentional, I also recommend that the Barbara Gold and Caryn Skurnick \$1,000 contributions be reduced to 10% of the original amount, or \$200. If these recommendations are accepted by the Board, the \$200 civil penalty will be due and owing. (As of 6/30/11, this committee reported a funds available balance of \$1,190,678.85.)



Andy Nauman – Hearing Officer
August 2, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 3, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Personal PAC ID# 497
Margot Kahn Rosenbaum, Grace Allen Newton
134 N LaSalle St, Ste 2040
Chicago, IL 60602-1133

Dear Personal PAC:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of more than \$500, within 2 business days of receipt as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Barbara Gold*	10/4/2010	\$1,000	\$1,000		
Susan & Nicholas Pritzker*	11/1/2010	\$10,000	\$10,000		
Alfred Ronan*	11/1/2010	\$1,000	\$1,000		
Caryn Skurnick*	10-4/2010	\$1,000	\$1,000		
Foster, Bill for Congress*	11/1/2010	\$2,759	\$2,759		

The committee is fined a **total** of \$15,759 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total *does not* reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(b-5) of the Election Code, the Board may impose fines for violations not to exceed 100% of the total amount of the contributions that were untimely reported, but in no case when a fine is imposed shall it be less than 10% of the total amount of the contributions that were untimely reported.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1576, (10% of the total amount reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period had expired. This amount must be paid (including any previously assessed fines), within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fines if you believe the civil penalties have been assessed in error. *If you have a legitimate reason for your delinquent filing, it would behoove you to send in the appeal form since the*

CHICAGO

11 JUN 28 PM 3:51

STATE BOARD OF ELECTIONS

State of Illinois)

County of Cook)

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF,

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

vs

Personal PAC

Respondent(s)

No. 1046 063

APPEAL AFFIDAVIT

I, Melissa Wider, the Chairman of the
(Name) (Chairman/Treasurer)

Personal PAC

(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

With respect to the Gold and Skurnick contributions, our failure to report was a clerical error and we assert no defense. With respect to the Pritzker, Ronan and Foster contributions, reporting their date as November 1 was a clerical error. They were actually received on November 5, three days after the election, and deposited that same day. We have amended our D-2 to correct the dates of receipt. Our failure to report these three contributions was not violative of the Campaign Finance Act, because contributions received after the election were not required to be reported until the semiannual report.

Subscribed and Sworn to Before me
This 28th Day of June 2011

Bridget L. Lutz

Melissa J. Wider
(Signature of Chairman/Treasurer)



**STATE OF ILLINOIS
COUNTY OF SANGAMON**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

v.

11 MA 049

Boone County Republican Club
Respondent ID# 5001

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquent Filing of the 2010 December Semi-Annual Report and the 2011 June Quarterly Report

The 2010 December Semi-Annual Report was received by the Board on April 5, 2011, 51 days late, resulting in a civil penalty assessment of \$2,550. The 2011 June Quarterly Report was received by the Board on July 28, 2011, 9 days late, resulting in a civil penalty assessment of \$900. Additionally, the Committee had previously been assessed a \$1,300 civil penalty (appealed, appeal granted) for delinquently filing the 2009 December Semi-Annual Report. The total assessment is \$3,450.

Patrick Mattison, the Treasurer of the Committee, filed a Waiver of Appearance, and submitted on the Appeal Affidavit the following:

On the Affidavit, Mr. Mattison states that the Committee attempted to electronically file the Semi-Annual Report several times over a total of four, non-consecutive, days. He says the Report was finally filed on 4/5/11 after receiving assistance from Board staff. Mr. Mattison states he again had to contact Board staff for assistance after being unable to successfully file the Quarterly Report. He says he was told at that time that his computer and the new version of the IDIS electronic filing software were not compatible. Mr. Mattison says he then purchased a new computer and was able to use it to file the Quarterly Report.

In regards to the delinquent filing of the 2011 June Quarterly Report, it is clear the Committee had computer/software issues in attempting to file. In order to be consistent with previous Board decisions when an electronic filing defense is raised, and since this Committee had not previously raised such a defense, I recommend the appeal for this violation be granted. In regards to the delinquent Semi-Annual Report however, I am concerned about the length of time involved before the Report was finally filed. The Report was due January 15, and despite any electronic filing problems that the Committee may have experienced, it should not have taken more than two months to successfully upload the Report. Therefore, I recommend the appeal for this violation be denied. If these recommendations are accepted by the Board, the civil penalty of \$2,550 would be stayed as a first violation. (As of 6/30/11, this Committee reported a funds available balance of \$6,464.38.)



Tom Newman - Hearing Officer
September 28, 2011

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Boone County Republican Club
Fred Genrich
PO Box 302
Belvidere, IL 61008-0302

ID# 5001

Dear Boone County Republican Club:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 5, 2011, 51 days late. As such, this committee has been assessed a fine of \$2550.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 28, 2011, 9 day(s) late. As such, this committee has been assessed a fine of \$900.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. ***Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.***

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.

State of Illinois)
County of Boone)

STATE BOARD OF ELECTIONS

11 SEP -9 AM 10:24

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;
ILLINOIS STATE BOARD OF ELECTIONS.

Complainant

Vs.

Case No. 11 MA049

Boone County Republican Club
Respondent(s).

APPEAL AFFIDAVIT

I, Patrick B. Mattison, the Treasurer of the
(Name) (Chairman/Treasurer)

Boone County Republican Club

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are: Tried to download 7/1/2010-12/32/2010 Semiannual Report several times over a 4 day period (not consecutive); IDIS computer would not accept; finally called Jason Hind 4/5/11 and able to get report filed. He told me we were up to date & current--not to address the late letter. Talked to Adam and he told me we might have to upgrade the RAM.

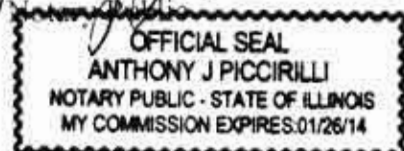
Again tried to download 4/1/2011-6/30/2011 Quarterly Report and called Disclosure number--was told my computer and program were not compatible to IDIS. Went out and bought a new computer and installed new program. Please note, the assessment and appeal letter was sent to the wrong PO Box Box 301 instead of Box 302. I am at the mercy of the computer programs of which I am not proficient, and ask that you forgive the fines. I expect the problems are solved with the new computer.

Signed and Sworn to by:

Anthony J. Piccirilli

before me this 7th Day of
August, 2011

Anthony J. Piccirilli



Patrick B. Mattison

Patrick B. Mattison

(Signature of Chairman/Treasurer)

Subj: Illinois Electronic Filing Acknowledgement
 Date: 7/16/2010 8:13:50 A.M. Central Daylight Time
 From: Disclose@elections.il.gov
 To: belrockprinting@aol.com

DISCLOSE -- Illinois Political Financial Disclosure Filing Acknowledgement

This is to acknowledge the receipt and acceptance of your electronic filing via the DISCLOSE protocol.

Your filing was received and accepted by our system at Fri Jul 16 08:13:48 2010, and was assigned the Filing ID of: IL-121917

Please make a note of this, as it will be necessary to refer to this information in the future.

Thank you for using DISCLOSE.

For your reference, the output of the validation check was as follows:

Illinois PDP File Validator Ver: IL-1.00.17

Developed by NIC Technologies, Inc. 1996-2001

Committee ID: FID3899
 Committee Name: Boone County Republican Club
 Filing Type: D-2
 From/Through: 20100101 - 20100630

Cover/Summary Page Totals for Form: D-2

Line No.	Dollar Total
1A	0.00
1B	0.00
2A	0.00
2B	0.00
3A	0.00
3B	0.00
4A	0.00
4B	0.00
TOT1-4	0.00
5A	0.00
5B	0.00
TOT5	0.00
6A	0.00
6B	0.00
7A	0.00
7B	0.00
8A	0.00
8B	44.00
TOT6-8	44.00
9A	0.00
9B	0.00
TOT9	0.00
A	0.00
B	0.00
C	0.00
D	44.00
E	44.00
F	0.00

>>>>> PDP data file PASSED validation! <<<<<

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
August 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Recd
9/6/11
from

Boone County Republican Club
Patrick B Mattison
PO Box 301
Belvidere, IL 61008

ID# 5001

Dear Boone County Republican Club:

As you have been previously notified, this committee failed to file the following document during the requisite filing period:

Report Type:	Semiannual Report of Campaign Contribution and Expenditures
Report Period:	July 1, 2010 through December 31, 2010
Filing Period:	January 3, 2011 through January 20, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on April 5, 2011, 51 days late. As such, this committee has been assessed a fine of \$2550.

In addition, this committee failed to file the following documents during the requisite filing period:

Report Type:	Quarterly Report of Campaign Contribution and Expenditures
Report Period:	April 1, 2011 through June 30, 2011
Filing Period:	July 1, 2011 through July 15, 2011

Based upon this committee's failure to comply with the provision of 10 ILCS 5-9-10 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received on July 28, 2011, 9 day(s) late. As such, this committee has been assessed a fine of \$900.

Enclosed please find the Section 125.425 Civil Penalty Assessments and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. *Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal by September 29, you forfeit the right to contest this assessment.*

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. You will be notified of this payment due date in the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S. Spring Street, Springfield, IL 62704. You may also pay by MasterCard, Discover, or American Express.



STATE BOARD OF ELECTIONS
PO Box 4187
1020 S Spring St
Springfield, IL 62708-4187

OFFICE OF THE CLERK
OF THE BOARD OF ELECTIONS
1020 S. SPRING ST.
SPRINGFIELD, ILLINOIS 62708-4187

RTS
PO BOX IS
NOT
PATRICK
MATTISON'S!

Please
Correct
your
records!



5 00 64

6100800301 0003



**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections
Complainant

Vs.

11 AM 078

Naperville Unit PAC for Education District 203 (NUPACE 203) 9774
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Failing to File
A Schedule A-1 for the 1st Quarter of 2011

This committee received one \$13,070 contribution and one \$1,500 contribution on 3/17/11 and failed to file these contributions on a Schedule A-1. Additionally, the Committee had previously been assessed a \$100 civil penalty (not appealed, stayed, expired) for delinquently filing the June 1999 Semi-Annual Report. The total assessment is \$7,285.

The Respondent was represented by attorney James P. Nally at the September 1 appeal hearing.

Mr. Nally indicated that the Naperville Unit PAC for Education District 203 (NUPACE 203) also known as the Naperville Education Association (NEA) is a not-for-profit labor union, and a local affiliate of the Illinois Education Assn. (IEA). Each member of the NEA contributes \$20 to the political action committee of the IEA each year (\$4 per person each period). The contributions are made by payroll deductions and are transmitted to the IEA's political action committee IPACE. IPACE then holds the money until the local affiliate asks for a rebate. The local affiliate can request a rebate of the contributions of their members up to a maximum of \$10 per member. IPACE then writes a check for the requested per member amount times the number of local association members who contributed to IPACE in the most recent year. These funds then go to the local association's PAC and are used for local political purposes and this is where the \$13,070 contribution came from. Mr. Nally also indicated that the Naperville ESP Association (NESPA), another local affiliate, transferred \$1,500 of its member's donations to the NEA PAC. Mr. Nally argued that since the NESPA transferred member's donations that they also were acting as a conduit for the transmittal of many small individual contributions. Mr. Nally introduced a print out of emails that were sent back and forth between another committee (Indian Prairie Education Assn PAC for Education) and another hearing officer from the State Board of Elections (attached). He indicated that the emails were in relation to a similar situation between a rebate from IPACE and another local affiliate. Mr. Nally also introduced documentation of how the contribution came to be (attached). Mr. Nally indicated that the Board granted the appeal in relation to the Indian Prairie Education Assn PAC for Education and these circumstances are basically identical. IPACE and the NESPA acted as a conduit and the Committee appropriately itemized the contribution as required. The Committee requests that the appeal be granted.

The Committee supplied a copy of the rebate voucher (attached) and this indicates that IPACE would have been acting as a conduit when they made out the check for \$13,070 to the Committee. Illinois

disclosure law allows a labor organization to act as a conduit to deliver dues payments and to report these normally not-itemized contributions in the aggregate. Therefore, I recommend the appeal be granted in relation to the \$13,070 contribution from IPACE. Additionally, to prevent a similar situation in the future, the Committee should be advised to report similar rebates in such a way as to make it clear that the money represents a rebate or a return from IPACE. However, I do not believe the NESPA was acting as a conduit when they transferred \$1,500 from their PAC to the NUPACE 203. The NESPA had on hand at the time of the transfer at least \$1,500. The \$1,500 that was transferred to the NUPACE 203 would have come from a prior rebate that IPACE would have given to the NESPA. IPACE would have been acted as a conduit in facilitating the delivery of the rebate to NESPA at an earlier date. Therefore, when NESPA received and deposited the funds into their account I believe the Committee did not facilitate the delivery of dues but rather committed a transfer from one PAC to another PAC. Therefore, I recommend the appeal be denied for lack of an adequate defense. However, since there is no indication that this violation was anything other than inadvertent and unintentional, and since this was the first delinquent filed Schedule A-1, I also recommend that the civil penalty be reduced to 10% of the original assessment, or \$75. If these recommendations are accepted by the Board, the \$75 civil penalty will be stayed as a first violation. (As of 6/30/11, this Committee reported a funds available balance of \$35,442.24.)



Andy Nauman – Hearing Officer

October 4, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SBE

Complainant(s),

Vs.

Case No. 11AM078

Naperville Unit PPK for Edc. Dist. 203

Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S) or ☒ RESPONDENT(S)

(Insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

James P. Hall

Address:

85 Michigan

City/State/ZIP

Chicago IL 60603

Telephone:

312-544-22-5560

FAX No.:

312-346-7999

EMAIL:

jphall@att.net

Will you accept service of documents via FAX transmissions?

Check one: ☒ Yes ☐ No

[Signature]
Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Naperville Unit PAC for Education District 203 (NUPACE 203)
Joyce L Bailey
1555 Bond St, Ste 121
Naperville, IL 60563-0138

ID# 9774

Dear Naperville Unit PAC for Education District 203 (NUPACE 203):

This committee has failed to file the following Schedule A-1's. Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
IPACE	3/17/2011	\$6535	\$13070	*	12
NESPA	3/17/2011	\$750	\$1500	*	12

As required by the Illinois Campaign Disclosure Act and the changes enacted in 2011, as amended by Public Act 96-832, your committee is subject to a fine of \$7285 for delinquently filing Schedule A-1 reports. This total *does not* reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$729, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

11 AUG -1 AM 11:07

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF;

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

Vs.

Case No.

11 AM 078

NAPERVILLE PAC FOR
Respondent(s). EDUCATION

APPEAL AFFIDAVIT

I, Joyce Bailey, the Chairman of the
(Name) (Chairman/Treasurer)

NAPERVILLE PAC FOR EDUCATION

(Name of the Committee)

Committee, first being duly sworn, deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

PLEASE SEE THE ATTACHED

Signed and Sworn to by:

Karen S. Hancock
before me this 27th Day of
July, 2011



Joyce L Bailey
(Signature of Chairman/Treasurer)

The Naperville Education Association (NEA), a not-for-profit labor union, is a local affiliate of the Illinois Education Association (IEA). Each member of the NEA contributes \$20.00 to the political action committee of the IEA each year. The contributions are made by payroll deduction and are transmitted to the IEA's political action committee (IPACE).

Local affiliates of the IEA have the right to request a "rebate" of the contributions of their members up to a maximum of \$10.00 per member. When the rebate is requested, IPACE writes a check for the requested per-member amount times the number of local association members who contributed to IPACE in the most recent year. These funds go into the local association's PAC and are used for local political purposes. Occasionally one IEA local affiliate will transfer some of its members' contributions to another IEA local affiliate, in cases where they share expenditures, etc.

In March of 2011, the NEA requested a rebate and IPACE sent a check for \$10.00 times 1,307, for a total of \$13,070.00. Also, the Naperville ESP Association, another IEA local affiliate, transferred \$1,500.00 of its members' donations to the NEA. The NEA PAC deposited both checks and reported them as itemized transfers in on its quarterly D-2 report.

The NEA's PAC received a notice from the State Board of Elections stating that it should have filed Schedule A-1 to report the receipts, since each was more than \$1,000.00.

Based on further research, we feel that IPACE and the Naperville ESP Association were acting as conduits for the transmittal of many small individual contributions, and therefore we should not have to file Schedule A-1 to report them. We request that the fine assessed on the notice be reversed. If we should report similar receipts differently in the future, we would appreciate your advice on that. Thank you.



ILLINOIS POLITICAL ACTION COMMITTEE FOR
EDUCATION

REBATE VOUCHER

2010 - 2011

Naperville Unit Educ. Assn.
Joyce Bailey, NUPACE Chair
Illinois Education Assn.
1555 Bond Street, Suite 121
Naperville, IL 60563

ID: 140

ACCOUNT #: 6600/6610

BPID: 3902

COUNT:	1308
09-10 REFUNDS:	-1
REMAINDER:	1307
	X \$10

AMOUNT

LEVEL I AMOUNT: \$5,228.00

LEVEL II AMOUNT: \$7,842.00

TOTAL: ~~\$13,070.00~~

Donna P.

2/25/2011

PREPARED BY:

VOUCHER DATE:

APPROVED BY:

19659

CHECK #:

3/4/11

CHECK DATE:

APPROVED BY:

APPROVED BY:

DATE MAILED:

BY/HOW:



Naperville Unit Political Action Committee for Education

An Affiliate of the Naperville Unit Education Association

February 23, 2011

To: IEA Government Relations

RECEIVED

From: Mark Bailey
President, NUEA

FEB 24 2011

Re: IPACE Rebate

This letter is a formal request from the Naperville Unit Political Action Committee (NUPACE) to receive our local's rebate. We are also making a special request for the additional \$6.00 rebate per IPACE – contributing member due to District 203's difficult School board elections.

Please mail the rebate check to the following address:

Joyce Bailey
NUPACE Chair
c/o
Naperville Unit Education Association
1555 Bond Street
Suite 121
Naperville IL 60563

Sincerely,

Mark A. Bailey
President
Naperville Unit Education Association

510

Source Code: 3902

Region: 39

Count As Of

initiate D.P.

1 refund in 09-10

Michelle - lobbyist



Over 1,350 members dedicated to our schools, families and community!

James P Nally

From: Welch, Randy [Randy.Welch@ieane.org]
Sent: Tuesday, August 23, 2011 9:39 AM
To: James P Nally (jpnlaw@att.net)
Cc: Reed, Jim; Soglin, Audrey; Klickna, Cinda; Roth, Mitch
Subject: FW: Indian Prairie Education Assn PAC appeal

Here's the other response I mentioned.

-----Original Message-----

From: Newman, Tom [mailto:TNewman@elections.il.gov]
Sent: Friday, August 05, 2011 11:10 AM
To: Welch, Randy
Subject: RE: Indian Prairie Education Assn PAC appeal

The way the process works is: the hearing officer for your appeal makes a recommendation, which is also reviewed by our general counsel. You will receive a copy of the recommendation when the appeal goes on the Board agenda, so typically a week or so before the Board meeting you will be advised of the recommendation. Ultimately, the Board decides whether to grant the appeal. You do have the opportunity to address the Board if you choose.

Tom

-----Original Message-----

From: Welch, Randy [mailto:Randy.Welch@ieane.org]
Sent: Friday, August 05, 2011 10:21 AM
To: Newman, Tom
Cc: valdranias@aol.com; Reed, Jim; Proefrock, Donna; Sharrard, Mark; Baston, Cynthia; Fox, Linda
Subject: RE: Indian Prairie Education Assn PAC appeal

Thanks for taking care of this so quickly. Just so we are sure that we understand the process, is the Indian Prairie EA going to receive some sort of written response to its appeal, or is the matter officially resolved?

Also, at least two of our other local associations (Naperville EA and St. Charles EA) have filed appeals on this issue. They filed after Indian Prairie so they are probably in the pipeline somewhere. Will they be handled the same way as Indian Prairie?

Thanks again.

-----Original Message-----

From: Newman, Tom [mailto:TNewman@elections.il.gov]
Sent: Tuesday, August 02, 2011 9:17 AM
To: Welch, Randy
Subject: RE: Indian Prairie Education Assn PAC appeal

Thanks, this is the information I needed. For future reference, receipts such as this should be reported under itemized individual contributions, but make sure the "name" of the contributor makes it clear that it is a conduit payment or rebate.

Tom Newman
State Board of Elections
217-782-1558

-----Original Message-----

From: Welch, Randy [mailto:Randy.Welch@ieane.org]
Sent: Monday, August 01, 2011 6:21 PM
To: Newman, Tom
Cc: valdranias@aol.com; Reed, Jim; Proefrock, Donna; Sharrard, Mark; Baston, Cynthia
Subject: Indian Prairie Education Assn PAC appeal

Mr. Newman: Val asked me to respond to your request for information since she is going to be out of town. I hope this is sufficient; if not, please let me know what else I can provide.

The Indian Prairie Education Association (IPEA), a not-for-profit labor union, is a local affiliate of the Illinois Education Association (IEA). Each member of the IPEA contributes \$20.00 to the political action committee of the IEA each year. The contributions are made by payroll deduction and are transmitted to the IEA's political action committee (IPACE).

Local affiliates of the IEA have the right to request a "rebate" of the contributions of their members. The language in the IPACE rules of operation that govern this is as follows:

Those funds received by IPACE through payroll deduction and/or through solicitation with local PACE units shall be properly accounted for and the local PACE unit share, an amount mutually agreed upon, up to 50 percent, but no less than 20%, of what is contributed from that local PACE unit, shall be returned to it upon written request.

So IEA local affiliates can request amounts from \$4.00 per member (20% of \$20.00) up to \$10.00 per member (50%). In Indian Prairie's case, they requested that \$4.00 of each of their members' donations be returned to it. The request and computation of this are attached. Unfortunately, there is a \$4.00 computation error in the payment.

When the check was received, the IPEA PAC deposited it and reported it as an itemized transfer in on its quarterly D-2 report.

Based on further research, we feel that IPACE was acting as a conduit for the transmittal of 2,121 individual contributions in the amount of \$4.00 each, and therefore the IPEA PAC should not have to file Schedule A-1 to report them. In retrospect, the confusion was probably due to the way that the receipt was reported on the D-2. If we should report similar receipts differently in the future, we would appreciate your advice on that. Thank you.

-----Original Message-----

From: Newman, Tom <TNewman@elections.il.gov>
To: 'valdranias@aol.com' <valdranias@aol.com>
Sent: Fri, Jul 29, 2011 1:09 pm
Subject: Indian Prairie Education Assn PAC appeal

Val,

I am the hearing officer reviewing your committee's appeal of a civil penalty assessment for failure to file a Schedule A-1. In your appeal affidavit, you state that the \$8488 contribution from IPACE was a rebate of member dues. In cases such as this we like to get some documentation to support the claim, so I'm wondering if you have any records in regards to this rebate. If so, please provide me with a copy at your earliest convenience - either by mail, fax (217-782-5959) or email to tnewman@elections.il.gov <<mailto:tnewman@elections.il.gov>>.

If you have any questions or if I can be of any assistance please contact me at (217) 782-1558. Thank you for your prompt attention to this matter.

Tom Newman
State Board of Elections

**STATE OF ILLINOIS
COUNTY OF COOK**

**BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS**

Illinois State Board of Elections

Complainant

Vs.

11 MA 025

Neighbors for Harry Osterman (ID 22976)

Respondent

REPORT OF HEARING OFFICER

Appeal of Civil Penalty Assessment for Delinquently Filing
The D-1 Statement of Organization and Delinquently Filing
Schedule A-1 Reports for the 1st Quarter of 2011

The Committee filed the D-1 Statement of Organization 13 days late, resulting in a civil penalty assessment of \$325. The Committee received eight contributions of \$1,000 or more and delinquently filed Schedule A-1 Reports, resulting in a civil penalty assessment of \$16,120.54. The total assessment is \$16,445.54

Attorney Michael Kasper and finance consultant, Jacquelyn Tuite appeared on August 9, 2011 for the appeal hearing.

The Respondent offered the following defense to each Schedule A-1 violation:

Contribution 1: Leo/Heather Smith/ Steans - \$5,000:

The \$5,000 contribution from Leo/Heather Smith/ Steans was received on 1/8/11 and reported on 1/24/11, five days late. The contribution was deposited on 1/10/11 and then refunded back to the contributor on 1/13/11. The Committee did not believe the contribution was required to be filed on a Schedule A-1 because it was returned. The disbursement was shown on the Quarterly Report. Exhibit 1 is a copy of the check and deposit slip.

Contribution 2: Act Blue IL - \$1,171.80:

The \$1,171.80 contribution from Act Blue IL was reported in error. The contribution of \$1,171.80 is made up of several small contributions under \$1,000 from several different donors that used Act Blue services to make online contributions to the Committee. In Exhibit 2, the Respondent submitted the receipt from Act Blue. On August 11, 2011, the Committee amended the 2011 1st Quarterly Report showing the separate contributions (Exhibit 3).

Contribution 3: IL Laborers legislative Cmte - \$1,000; Contribution 5: Joe Vetrano - \$1,000:

The Committee misunderstood the new Schedule A-1 filing law and believed contributions only in excess of \$1,000 were required on a Schedule A-1. They were under the assumption that contributions of exactly \$1,000 were not required to be reported. The \$1,000 contributions from IL Laborer's Legislative Committee and Joe Vetrano were filed late due to the misunderstanding of the filing requirement.

Contribution 4: IL Merchants PAC - \$2,500; Contribution 6: Dental Corporate USA - \$2,000;

The Committee missed the filing deadlines and inadvertently filed the \$2,500 contribution from IL Merchants Political Action Committee one day late and the \$2,000 contribution from Dental Corporate USA 9 days.

Contribution 7 & 8: 2 In-Kind Contributions – For A Better Chicago PAC - \$9,784.64;

On 2/15/11 the Committee received three separate in-kind contribution notification forms from A Better Chicago PAC by facsimile (Exhibit 4). The notice showed For a Better Chicago purchased 3 separate print purchases from the same vendors in the same amounts, \$9,784.64, a total contribution of 29,353.92. The committee thought only one in-kind contribution was received and assumed the two other notices were duplicates sent by mistake. On 2/18/11 The Committee filed an A-1 indicating one contribution of \$9,784.64 was received. When the Quarterly report was prepared it was realized that three separate in-kind contributions of the same amount were made on the same day. The Schedule A-1 filing deadline was missed on the other two contributions.

Recommendation Contribution 1: Original assessment \$2,500

I recommend the appeal be denied on the assessment for the late filing of a Schedule A-1 contribution from Leo/Heather Smith/Steans. The contribution was deposited and therefore it should have been reported regardless if it was returned. However, since there is no indication the violations was anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$250.

Recommendation Contribution 2: Original assessment \$585.90

I recommend the appeal be granted on the assessment for the late filing of the Schedule A-1 contribution from Act Blue IL. To support their claim, the Respondent submitted receipts from Act Blue and amended the Quarterly Report.

Recommendation Contribution 3: Original assessment \$500

I recommend the appeal be denied on the assessment for the late filing of Schedule A-1 contribution from IL Laborer's Legislative Committee for lack of an adequate defense. The treasurer is responsible for understanding and complying with A-1 filing requirements. Ms. Tuite stated the Committee was not aware contributions of \$1,000 were required on Schedule A-1 reports yet these reports were filed. However, since there is no indication the violations was anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$50.

Recommendation Contribution 4: Original assessment \$1,250

I recommend the appeal be denied on the assessment for the late filing of the Schedule A-1 contribution from IL Merchants Political Action for lack of adequate defense. However, since there is no indication the violations was anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$125.

Recommendation Contribution 5: Original assessment \$500

I recommend the appeal be denied on the assessment for the late filing of Schedule A-1 contribution from Joe Vetrano for lack of an adequate defense. The treasurer is responsible for understanding and complying with A-1 filing requirements. Ms. Tuite stated the Committee was not aware contributions of \$1,000 were required on Schedule A-1 reports yet these reports were filed. However, since there is no indication the violations was

anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$50.

Recommendation Contribution 6: Original assessment \$1,000

I recommend the appeal be denied on the assessment for the late filing of the Schedule A-1 contribution from Dental Corporate USA for lack of adequate defense. However, since there is no indication the violations was anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$100.

Recommendation Contribution 7 & 8: Original assessment each \$4,892.32

I recommend the appeal be denied on the assessments for the late filing of the Schedule A-1 contribution from For a Better Chicago PAC for lack of adequate defense. The in-kind notices were similar however; the purposes for the contributions were different on each notice and this error may have been caught if more attention was paid to the notices. However, since there is no indication the violations was anything other than inadvertent and unintentional, I further recommend the penalty be reduced to 10% of the original assessment or \$489.23 for each violation or \$978.46

The committee did not address the assessment on the late filing of the D-1 Statement of Organization. Therefore, I recommend the appeal be denied for a lack of an adequate defense and the civil penalty of \$325 will be due.

If this recommendation is accepted by the Board, a \$1,878.46 civil penalty will be due and owing. (As of 6/30/11, this Committee reported a funds available balance of \$45,170.27.)



Tara Cachur – Hearing Officer

August 31, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of: SBE Complainant

Neighbors for Harry Osterman
Complainant(s) Respondent

v.

No: 11 MA 025

Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S) or ☒ RESPONDENT(S)

(insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

NICHOLE KAPLAN

Address:

222 N. LA Salle # 300

City/State/Zip:

Chicago IL 60601

Telephone:

312. 368. 724 3252

Fax No.:

312 368 4944

Email address:

NICK@NeighborsIL.org

Will you accept service of documents via FAX transmission? Check one: ☐ Yes ☐ No

Nichole Kaplan
Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street
Springfield, Illinois 62704
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 3, 2011

11MA 025
BOARD MEMBERS
Bryan Schneider, Chairman
Wanda Rednour, Vice Chairman
Patrick Brady
John Keith
William McGuffage
Albert Porter
Jesse Smart
Robert Walters

Neighbors for Harry Osterman
Jane Osterman
8242 N Keating
Chicago, IL 60548

ID# 22976

Dear Neighbors for Harry Osterman:

This letter is to inform you that this committee failed to file its' D-1 Statement of Organization during the requisite 10-day filing period.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-3 of the Election Code, it has been assessed a civil penalty for each day this report remained unfiled. According to Board records, this report was received by the Board on September 30, 2010, 13 day(s) late. As such, this committee has been assessed a fine of \$325.

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Leo/Heather Smith/Steans	1/8/11	\$5000	\$5000	1/24/11	5
Act Blue IL	2/8/11	\$1171.80	\$1171.80	2/11/11	1
IL Laborer's Legislative Cmte	2/8/11	\$1000	\$1000	2/11/11	1
IL Merchants Political Action	2/8/11	\$2500	\$2500	2/11/11	1
Joe Vetrano	2/22/11	\$1000	\$1000	3/6/11	3
Dental Corporate USA	3/24/11	\$2000	\$2000	3/24/11	9
For A Better Chicago PAC	2/15/11	\$9,784.64	\$9,784.64	2/15/11	29
For A Better Chicago PAC	2/15/11	\$9,784.64	\$9,784.64	2/15/11	29

The committee is fined a **total** of \$32,241.08 for delinquent filing Schedule A-1 reports as required by the Illinois Campaign Disclosure Act. This total **does not** reflect any previously assessed fines.

Based upon this committee's failure to comply with the provision of 10 ILCS 5/9-10(c) of the Election Code, the Board may impose fines for violations not to exceed 50% of the total amount of the contribution(s) that were untimely reported.

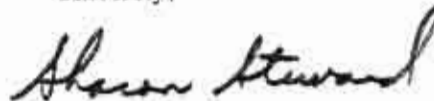
Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1613, (25% of the total amount of contribution(s) reflected above) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

Enclosed, please find Section 125.425 *Civil Penalty Assessments* and the forms with which you may appeal the assessed fine if you believe the civil penalty has been assessed in error. **Notice of Appeal must be filed within 30 days of the date of this assessment notice. If you fail to file a Notice of Appeal within this 30 day period, you forfeit the right to contest this assessment.**

If you do not appeal this assessment, you must pay your fine within 30 days of the Final Board Order. However, you may also elect to pay the fine at this time. You may mail or deliver payments to the State Board of Elections, Attn: Campaign Disclosure, 1020 S Spring Street, Springfield, IL 62704.

If you have any questions regarding the appeal procedure, please call Jennifer Ronimous at 217-782-1543.

Sincerely,



Sharon Steward
Director, Campaign Disclosure Division

SS: jr

* This contribution was reported on the March Quarterly Report but should also have been reported on a Schedule A-1 Report of Campaign Contributions of \$1000 or more.

State of Illinois)
County of _____)

STATE BOARD OF ELECTIONS

11 JUN 13 PM 4:10

BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS

IN THE MATTER OF:

ILLINOIS STATE BOARD OF ELECTIONS,

Complainant

vs.

Neighbors for
~~George~~ For Harry Osterman
Respondent(s).

No. *11MA025*

APPEAL AFFIDAVIT

I, *Michael Kaplan*, the *Chairman* of the
(Name) (Chairman/Treasurer)

Neighbors for Harry Osterman
(Name of the Committee)

Committee, first being duly sworn deposes and states that he/she represents that the said committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

The report contained inaccurate
information regarding the said/or
Amounts

Subscribed and Sworn to Before me
This *13th* Day Of *June*, 20 *11*

Steven J. Carey

Michael Kaplan
(Signature of Chairman/Treasurer)



5539 N BROADWAY
CHICAGO, IL 60640

BRIDGEVIEW BANK GROUP
Bridgeview, Illinois 60455
www.bridgeviewbank.com

11811

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL

#18

0719235691 620095001

505

49

005209

		DOLLARS	CENTS
CURRENCY			
COIN			
CHECKS	LIST EACH SEPARATELY		
1	Sevens	5000	no
2	10	1000	00
3	Perms	25	00
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
TOTAL FROM OTHER SIDE OR ATTACHED LIST			
<div style="border: 1px solid black; padding: 2px;"> PLEASE RE-ENTER TOTAL HERE </div>		6025	40

Ched
subje
Code

317

ings are received for deposits
ns of the Uniform Commercial
ble collection agreement.

FOR DUPLICAT
USE CARBON PAPER FROM BACK
OF PAD TO MAKE COPIES OF
ENTRIES ON THIS SIDE

[illegible]

Hello jacque@harryosterman.org

- [My ActBlue](#)
 - [Contribution Summary](#)
 - [Contribution List](#)
 - [Express Donor Profile](#)
 - [Account Settings](#)
 - [Change Password](#)
- [Fundraise](#)
 - [Manage Pages](#)
- [My Committees](#)
 - [Harry Osterman](#)
- [Log out](#)
- [Home](#)
- [Candidate Directory](#)
- [Fundraising Pages](#)
- [Support Us](#)
- [Blog](#)
- [Help](#)

312-
368-4944

Act

The online clearinghouse for Democratic action.

Harry Osterman View Hub page

- [Dashboard](#)
- [Recurring](#)
- [Uniques](#)
- [By Page](#)
- [Compliance](#)
- [Settings](#)
- [User Access](#)

[Back to contribution summary](#)

CHECK #	3000036988
Disbursement Date	2011-01-30
Contributions	\$1,220.00
Refunds	- \$0.00
Fee	- \$48.20
Net Amount	\$1,171.80

Contribution Details

You may view the contributions in this disbursement on screen, or download a CSV file suitable for import into Excel and contributor tracking software. You may also view any refunds that were part of this disbursement, if applicable.

- [View contributions on screen](#)

EX 2 ✓

Hello jacque@harryosterman.org

- [My ActBlue](#)
 - [Contribution Summary](#)
 - [Contribution List](#)
 - [Express Donor Profile](#)
 - [Account Settings](#)
 - [Change Password](#)
- [Fundraise](#)
 - [Manage Pages](#)
- [My Committees](#)
 - [Harry Osterman](#)
- [Log out](#)
- [Home](#)
- [Candidate Directory](#)
- [Fundraising Pages](#)
- [Support Us](#)
- [Blog](#)
- [Help](#)

Act

The online clearinghouse for Democratic action.

[Back to contribution summary](#) **Contribution Details**

Joseph Perona

30-Jan-2011 at 11:31 PM
contributed \$100.00

Mailing address

1525 W Hood Ave
Chicago, IL 60660
United States

Occupation / Employer

Options Trader
Edgewater Partners

Contact info

joeperona@hotmail.com
773-764-9061

Contribution Info:

Order Number: AB02982250

pamela lannert

29-Jan-2011 at 03:06 PM
contributed \$60.00

Mailing address

5553 north lakewood
chicago, IL 60640
United States

Occupation / Employer

attorney
U.S. Customs & Border Protection

Contact info

pslannert@yahoo.com
7735060079

Contribution Info:

Order Number: AB02982022

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for (guest)

Michael Kreloff

29-Jan-2011 at 01:51 PM
contributed \$250.00

Mailing address

1926 Waukegan, Suite 310
Glenview, IL 60025
United States

Occupation / Employer

Attorney
Self

Contact info

capitolaction@yahoo.com
847-657-1020

Contribution Info:

Order Number: AB02982009

Amy Cotter

29-Jan-2011 at 12:51 PM
contributed \$60.00

Mailing address

1310 W. Granville
Chicago, IL 60660
United States

Occupation / Employer

Attorney
Barnes and Thornburg

Contact info

stahlcotter@aol.com
773-338-1855

Refcode

facebook_Christie_Maroulis

Contribution Info:

Order Number: AB02982001

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for Patrick, Amy and Finn Cotter

Alyx Pattison

29-Jan-2011 at 11:07 AM
contributed \$250.00

Mailing address

1111 N. Western Ave. #2S
Chicago, IL 60622
United States

Occupation / Employer

Attorney
Katten Muchin Rosenman

Contact info

alvxpattison@hotmail.com
847-612-5207

Contribution Info:

Order Number: AB02981995

Garrett Ahitow

29-Jan-2011 at 09:53 AM
contributed \$60.00

Mailing address

5832 N Wayne Ave
Chicago, IL 60660
United States

Occupation / Employer

Banker
JPMorgan

Contact info

gahitow@gmail.com
7739445761

Contribution Info:

Order Number: AB02981980

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for Garrett Ahitow

Prudence Gourguechon

28-Jan-2011 at 10:17 PM

contributed \$100.00

Mailing address

1454 W Farragut Ave

Chicago, IL 60640

United States

Occupation / Employer

physician/psychiatrist

self

Contact info

prudygourguechon@gmail.com

773-561-1553

Contribution Info:

Order Number: AB02981944

Patricia Haddon

28-Jan-2011 at 06:48 PM

contributed \$60.00

Mailing address

5352 N Ashland

Chicago, IL 60640

United States

Occupation / Employer

Consultant

Self

Contact info

thaddon@gmail.com

312-925-6614

Contribution Info:

Order Number: AB02981896

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for Patricia Haddon

Pamela Ball

28-Jan-2011 at 12:12 PM
contributed \$100.00

Mailing address

5526 N Wayne Ave.
Chicago, IL 60640
United States

Occupation / Employer

Realtor
Baird & Warner Real Estate

Contact info

pamela.ball@bairdwarner.com
773-769-4216

Contribution Info:

Order Number: AB02981694

Frank Eichenlaub

28-Jan-2011 at 12:11 AM
contributed \$60.00

Mailing address

6153 N. Glenwood Avenue
Chicago, IL 60660
United States

Occupation / Employer

Attorney
Jenner & Block

Contact info

rebecca.eichenlaub@yahoo.com
312-505-0355

Contribution Info:

Order Number: AB02981639

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for Frank Eichenlaub

Stephen Northey

27-Jan-2011 at 03:31 PM
contributed \$60.00

Mailing address

1262 W. Elmdale
Chicago, IL 60660
United States

Occupation / Employer

Realtor
Koenig&Strey Real Living

Contact info

steve.northey@gmail.com
773-562-5592

Contribution Info:

Order Number: AB02981501

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for Steve, Debra & Annika Northey

Christie Maroulis

27-Jan-2011 at 01:18 PM

contributed \$60.00

Mailing address

1431 W Norwood St
Chicago, IL 60660
United States

Occupation / Employer

Health care consultant
Johnson & Johnson

Contact info

cmaroulis@alumni.northwestern.edu
773-856-5166

Contribution Info:

Order Number: AB02981459

Page:

<https://secure.actblue.com/page/neighborhoodparty>

Tickets:

Family for Christie, Spiro, Nicholas and Ava Maroulis

- [About](#)
- [API](#)
- [FAQ](#)
- [Privacy](#)
- [Terms of Use](#)
- [Recurring Contributions](#)
- [Jobs](#)
- [Contribute](#)
- [Contact](#)

Paid for by ActBlue (www.actblue.com) and not authorized by any candidate or candidate's committee.
Contributions to ActBlue are not tax deductible.
© 2006-2011 ActBlue. All rights reserved.

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Neighbors For Harry Osterman
5539 N Broadway St
Chicago, IL 60660-1469

From: For A Better Chicago - PAC
200 West Madison
Suite 3600
Chicago, IL 60606

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
200 West Madison Suite 3600 Chicago, IL 60606	2/15/11	\$9,784.64
	Description Design, print, production & mailhouse services for an 8.5 x 11 gloss cover postcard - #2.	

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.


Signature of Contributor

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of donated goods or services of more than \$50 within five (5) business days.

Do not send this form to the State Board of Elections or the County Clerk.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, and its value exceeded \$500, occupation & employer must be provided.

To: Neighbors For Harry Osterman
5539 N Broadway St
Chicago, IL 60660-1469

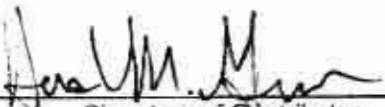
From: For A Better Chicago - PAC
200 West Madison
Suite 3600
Chicago, IL 60606

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
200 West Madison Suite 3600 Chicago, IL 60606	2/15/11	\$9,784.64
Description Design, print, production & mailhouse services for an 8.5 x 11 gloss cover postcard - #1.		

The political committee must report these donations on the Form D-2, Report of Campaign Contributions and Expenditures, Part 5.


Signature of Contributor

SCHEDULE A-1**REPORT OF CAMPAIGN CONTRIBUTIONS
OF
\$1000 or more**FILED
2/18/2011 01:23:39 PM
FOR OFFICE USE ONLY
IDENTIFICATION NO
22975
04Neighbors for Harry Osterman
5539 N Broadway St
Chicago, IL 60660-1469

ITEMIZED RECEIPTS		RECEIPT	DATE	AMOUNT OF
FULL NAME, MAILING ADDRESS, AND ZIP CODE	VENDOR	TYPE	RECEIVED	EACH RECEIPT
In-Kind Contribution				
For A Better Chicago PAC 200 W. Madison Chicago, IL 60606	For A Better Chicago PAC 200 W. Madison Chicago, IL 60606			
Description: Mailing			2/16/2011	\$9,784.64

Name and address of person submitting this report if other
than the committee's candidate or treasurer:

FORM D-2

REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES Quarterly Report

FOR OFFICE USE ONLY
IDENTIFICATION NO.

Candidate 22976
04

Neighbors for Harry Osterman
5539 N Broadway St
Chicago, IL 60660-1469

FILED

4/15/2011 06:15:04 PM

REPORTING PERIOD
1/1/2011 thru 3/31/2011

CASH AVAILABLE AT
THE BEGINNING OF THE
REPORTING PERIOD

\$ 60,309.71

SECTION A - RECEIPTS

1. Individual Contributions:

a. Itemized (from Schedule A)	\$ 70,015.00
b. Not-Itemized	\$ 0.00

2. Transfers In:

a. Itemized (from Schedule A)	\$ 33,300.00
b. Not-Itemized	\$ 0.00

3. Loans Received:

a. Itemized (from Schedule A)	\$ 0.00
b. Not-Itemized	\$ 0.00

4. Other Receipts:

a. Itemized (from Schedule A)	\$ 0.00
b. Not-Itemized	\$ 22,947.25
TOTAL RECEIPTS (1-4)	\$ 126,262.25

5. In-Kind Contributions:

a. Itemized (from Schedule I)	\$ 34,102.90
b. Not-Itemized	\$ 0.00
TOTAL IN-KIND	\$ 34,102.90

Name and address of person submitting this report if other
than the committee's candidate or treasurer:

SECTION B - EXPENDITURES

6. Transfers Out:

a. Itemized (from Schedule B)	1,500.00
b. Not-Itemized	0.00

7. Loans made:

a. Itemized (from Schedule B)	0.00
b. Not-Itemized	0.00

8. Expenditures:

a. Itemized (from Schedule B)	\$ 109,799.39
b. Not-Itemized	\$ 0.00

9. Independent Expenditures:

a. Itemized (from Schedule B)	\$ 0.00
b. Not-Itemized	\$ 0.00
TOTAL EXPENDITURES (6-9)	\$ 111,299.39

SECTION C - DEBTS AND OBLIGATIONS

10. a. Itemized (from Schedule C)

\$ 0.00
b. Not-Itemized
TOTAL DEBTS AND OBLIGATIONS
\$ 0.00

SECTION D - CASH BALANCE

Funds available at the beginning of the reporting period	\$ 60,309.71
Total Receipts (Section A)	\$ 126,262.25
Subtotal	\$ 186,571.96
Total Expenditures (Section B)	\$ 111,299.39
Funds available at the close of the reporting period	\$ 75,272.57

Investment Total	\$ 0.00

VERIFICATION

I DECLARE THAT THIS QUARTERLY REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES (INCLUDING ACCOMPANYING SCHEDULES AND STATEMENTS) HAS BEEN EXAMINED BY ME AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS A TRUE, CORRECT AND COMPLETE REPORT AS REQUIRED BY ARTICLE 9 OF THE ELECTION CODE. I UNDERSTAND THAT WILLFULLY FILING A FALSE OR INCOMPLETE REPORT IS SUBJECT TO A CIVIL PENALTY OF AT LEAST \$1001 AND UP TO \$5000.

Jane Osterman
SIGNATURE OF TREASURER OR CANDIDATE

4/15/2011 6:15:04PM
DATE

Filed Electronically

STATE OF ILLINOIS
COUNTY OF COOK

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

Illinois State Board of Elections
Complainant

Vs.

11 MA 036

Save5Acres for Barrington Hills Trustees 23119
Respondent

REPORT OF HEARING EXAMINER

Appeal of Civil Penalty Assessment for Delinquently Filing
A Schedule A-1 in the 1st and 2nd Quarter of 2011

This committee received a \$1,000 contribution on 3/10/11, and a \$7,500 contribution on 4/2/11, and reported them on a Schedule A-1 received by the Board on 3/15/11 (1 day late), and 4/14/11 (7 days late) respectfully, resulting in a civil penalty assessment of \$4,250.

The Respondent was represented by attorney John Fogarty Jr. at the August 31 appeal hearing. Also in attendance was Patti Meroni a candidate of the Committee.

Patti Meroni testified that Casey Justice was the campaign manger of the Committee. One of Casey's responsibilities was to file the Committee's reports. The Michael Harrington contribution was received and deposited on Thursday, March 10. Casey was supposed to file a Schedule A-1 for this contribution on the next day, but did not show up for work. Casey was ultimately let go for not being the most responsible and reliable person for the job and the termination ended rather poorly. The candidates and the treasurer of the political committee were not aware of the Harrington contribution being deposited or that a Schedule A-1 was required to be filed for this contribution. The deposit was not discovered until March 15 and the Schedule A-1 was filed that day. Mr. Fogarty indicated that the Committee had filed several Schedule A-1 reports and the Committee had no intent to not abide by the campaign finance laws or to hide this contribution. The Committee unfortunately filed the report one day late and they are of the belief that there was little prejudice to any candidate or the general public for filing the report one day late. The contribution was reported a full 3 weeks prior to the election. The Committee asks for leniency.


The date listed on the check for the Benjamin LeCompte III \$7,500 contribution was 4/2/11. The deposit slip shows a deposit date of 4/12/11 (which was attached to the appeal affidavit). Mr. Fogarty stated that the Committee accidently listed the receipt date as 4/2/11 when they should have used the deposit date of 4/12/11. Mr. Fogarty indicated that the Committee was going to amend the Quarterly Report to reflect the receipt date of 4/12/11.

Section 5/9-10 (d) (i) of the Campaign Disclosure Act states that *a contribution is considered received on the date a monetary contribution was deposited in a bank, financial institution, or other repository of funds for the committee.* Therefore, when the \$1,000 Michael Harrington contribution was deposited on 3/10/11 the political committee had 2 business days to file the contribution. The Committee reported the receipt of the contribution on a Schedule A-1 on 3/15/11 resulting in the contribution being reported 1 day late. It is ultimately the Committee's responsibility to ensure reports are filed in a timely manner and it was not, therefore I recommend

the appeal be denied for a lack of an adequate defense. In addition, since there is no indication that these violations were anything other than inadvertent and unintentional, I also recommend that the penalty be reduced to 10% of the original assessment, or \$50.

The deposit date listed on the deposit slip indicates that the \$7,500 contribution from Benjamin LeCompte III should have been reported as received on 4/12/11 rather than 4/2/11 (4/2/11 also happens to be the date the check was written). Therefore, I recommend the appeal be granted in regards to the Benjamin LeCompte III \$7,500 contribution. Furthermore, I recommend the Committee amend the 2nd Quarterly Report of 2011 to reflect the actual receipt date of this contribution within 30 days of the Board's Final Order. Failure to comply with the said Order could subject the Committee to a penalty not to exceed \$5,000.

If these recommendations are accepted by the Board, the \$50 civil penalty will be stayed as a first violation. (As of 6/30/11, this Committee reported a funds available balance of \$3,164.79.)


Andy Nauman – Hearing Officer
September 6, 2011

BEFORE THE STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter of:

SPE

Complainant(s).

Vs.

Case No. 11MA 036

Save SACs

Respondent(s)

APPEARANCE

The undersigned enters the appearance of (check one):

☐ COMPLAINANT(S) or ☒ RESPONDENT(S)

John Fogarty, Jr.

(Insert name)

Check one: ☒ Attorney ☐ Pro Se

Name:

Law Office of John Fogarty, Jr.

Address:

4043 N. Ravenswood, Ste. 226

City/State/ZIP

Chicago, IL 60613

Telephone:

773-549-2647

FAX No.:

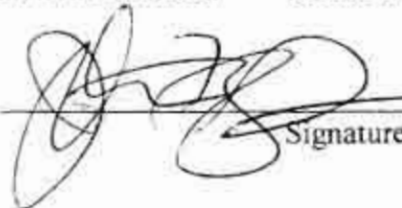
773-681-7147

EMAIL:

john@fogartylawoffice.com

Will you accept service of documents via FAX transmissions?

Check one: ☒ Yes ☐ No


Signature

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago Illinois 60601
312/814-6440
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller
June 30, 2011

BOARD MEMBERS
Bryan A. Schneider, Chairman
Wanda L. Rednour, Vice Chairman
Patrick A. Brady
John R. Keith
William M. McGuffage
Albert S. Porter
Jesse R. Smart
Robert J. Walters

Save5Acres for Barrington Hills Trustees
E Margaret Eich
7 Bellwood Dr
Barrington, IL 60010

ID# 23119

Dear Save5Acres for Barrington Hills Trustees:

This committee has failed to file the following Schedule A-1's, Report of Campaign contributions of \$1000 or more as required by the Illinois Campaign Disclosure Act:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Michael Harrington	3/10/2011	\$500	\$1000	3/15/2011	1

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$500 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the first delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$50, (10% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired.

In addition, this committee failed to file the following Schedule A-1s during the second quarter of 2011:

<u>Contributed By</u>	<u>Date of Contribution</u>	<u>Fine Assessed</u>	<u>Amount of Contribution</u>	<u>Date A-1 Received</u>	<u>Days Late</u>
Benjamin LeCompte III	4/2/2011	\$3750	\$7500	4/14/2011	7

As required by the Illinois Campaign Disclosure Act, as amended by Public Act 96-832, your committee is subject to a fine of \$3750 for delinquently filing schedule A-1 reports. This total **does not** reflect any previously assessed fines.

Since this is the second delinquent Schedule A-1 filing by your committee, the civil penalty will be automatically reduced to \$1875, (50% of the above referenced fine amount) if you do not choose to file an appeal under the Board's present policy. The total amount due will be imposed with the issuance of a Final Board Order after the 30-day appeal period has expired. This amount must be paid, including any previously assessed fines, within 30 days of the issuance of the Order.

RECEIVED

JUL 28 2011

State of Illinois)

County of Cook)

State Board of Elections**BEFORE THE STATE BOARD OF ELECTIONS
OF THE STATE OF ILLINOIS**In The Matter Of)
Illinois State Board Of Elections,)
Complainant)

v.)

Save 5 Acres For Barrington Hills Trustees,)

Respondent.)

Ne 11 MAD36

APPEAL AFFIDAVIT

I, Margaret Eich, the Treasurer of the Save 5 Acres For Barrington Hills Trustees ("the Committee"), first being duly sworn, depose and state that I represent that the Committee can offer a good reason or defense to the assessment of a civil penalty in this matter, and that such reasons and defenses are:

1. The Committee was created to support the candidacies of three candidates for Barrington Hills Trustee: Patty Meroni, Karen Selman, and Joe Messer ("the Candidates") to be elected at the Consolidated Election on April 5, 2011. Due to a number of contentious local issues, the race for Barrington Hills Village Trustee was hotly contested. This resulted in an unusually high amount of campaign activity, including fundraising and spending, which require disclosure, by all candidates for Barrington Hills Trustee.

2. As for the alleged Michael Harrington violation referenced in the State Board of Elections' ("SBE") letter dated June 30, 2011, said contribution was received on March 10, 2011, and the Committee did file an A-1 for this contribution, but that filing was inadvertently made 1 day late. In this instance, there was confusion between campaign staff, the Candidates,

and the Treasurer as to when this contribution was actually received and deposited. As a result of this confusion, an A-1 for this contribution was unfortunately filed one day late.

3. Given the high amount of spending activity that took place during this campaign, which was locally high-profile and expensive for all candidates involved, the A-1 filing for this contribution was unfortunately made one day late, even though the Committee did timely and properly file numerous other A-1's during the course of the campaign.

4. The Committee had and has no intent whatsoever to not abide by the campaign finance laws. Indeed, it previously timely filed several A-1 reports in advance of the April 5th Consolidated Election, thereby giving any political opponent or member of the public notice of large contributions to the Committee. In filing A-1s for these other contributions, and by reporting these contributions on its semi-annual and quarterly reports, the Committee has demonstrated that it fully intended to comply with the Campaign Finance Law, and to live within the spirit of the Campaign Finance Law.

5. Similarly, there was little prejudice to any candidate in the Consolidated Election, or to the general public, as the result of this A-1 being filed one day late. The Harrington contribution at issue here was made on March 10, 2011, and the A-1 filed on March 15, 2011. Timely filing would only have occurred a day earlier. Further, the disclosure on March 15th was made a full three weeks before the Consolidated Election, and therefore plenty of time for the Candidates' opponents to react to the contribution.


6. As for the alleged LeCompte violation, it appears that this allegation may be the result of a transcription error on the A-1 form itself. This contribution of \$7500 was made on April 12, 2011, and not April 2, 2011, as set forth on the A-1. It appears that the A-1 bears a contribution date of April 2nd, because that is the date written on the check. However, the

Committee did not receive this check until after the Consolidated Election, and did not deposit the check until April 12, 2011, as set forth on the deposit slip attached to this affidavit.

7. Further, the Committee's Quarterly Report for the second quarter of 2011 correctly recorded this contribution as having been received on April 12, 2011, when it was deposited. As the correct date for this contribution should have been recorded on the A-1 as April 12th as opposed to April 2nd, the A-1 itself, filed on April 14, 2011, was timely.

8. I certify, under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, that the statement set forth above are true and correct, except as to matters therein stated to be on information and belief, and as to such matters, I certify, as aforesaid, that I believe the same to be true.

9. Affiant further sayeth not.



Treasurer
Save 5 Acres For Barrington Hills Trustees

SAVE 5 ACRES
208A BRAEBURN RD
BARRINGTON HILLS, IL 60010

CURRENCY ▶

COIN ▶

CHECKS ▶

FD-2190-719

DATE 4/12/11
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL
DEPOSIT TICKET \$ 7,750.00
PLEASE ENTER AMOUNT ON BACK OF CHECK
ATTACH EXPIRED NOTICE TAPE ON EXPIRED NOTICE



⑆549960233⑆ 7237993345⑆

THIS CARD (AND ALL) ARE RETURNED FOR DEPOSIT TO THE FINANCIAL INSTITUTION OR TO THE CARDHOLDER'S ADDRESS.

640 Plum Tree

DANIEL MJOLSNES 0121
DATE 4-3-2011
\$ 150.00
THE NORTHERN TRUST COMPANY
Northern Trust
⑆07⑆000⑆52⑆ 3800887258⑆ 01013

BENJAMIN B. LECOMPTÉ III 10-10
350 BATEMAN RD
BARRINGTON HILLS, IL 60010-7614
DATE 4/2/11
2060
PAY TO THE ORDER OF Save 5 acres Political action Committee \$ 7,500.00
Seven thousand five hundred dollars 00/100 DOLLARS
J.P. Morgan
J.P. Morgan Chase Bank, N.A.
Chicago, Illinois
Political contribution
MEMO Benjamin Lecompte
⑆07⑆0000⑆13⑆ 934880628⑆ 2060

SUSAN JO HANSON
PH. 847-381-0261
241 OAK KNOLL RD
BARRINGTON, IL 60010
⑆2565⑆710 1517
DATE April 8, 2011
\$ 100.00
One hundred & no/100 DOLLARS
HARRIS. Harris, N.A.
Susan J. Hanson

STATE BOARD OF ELECTIONS
1020 South Spring Street
Springfield, Illinois 62704
217/782-4141

Sharon Steward

Director, Campaign Disclosure Division

To: Members of the Board, Rupert T. Borgsmiller, Executive Director, Steve Sandvoss, General Counsel

Re: Civil Penalty Assessments Necessitating a Final Board Order

Date: October 5, 2011

Listed below are committees that have been assessed a civil penalty for delinquently filing the June 2009 & 2010 Semi-annual reports, the December 2010 Semi-annual report, the March & June 2011 Quarterly reports, Schedule A-1's and "multi-assessments". These violations were not appealed & should be issued a Final Board Order.

June 2009 Semi-annual Report			
Cmte No	Cmte Name	Amt of Fine	Previous Violations
19052	Phillips for Mayor **	5000.00	None
21117	Rick Lawrence for Mayor **	5000.00	none
June 2010 Semi-annual Report			
Cmte No	Cmte Name	Amt of Fine	Previous Violations
18448	Friends of Daniel P Caulkins **	250.00	None
21786	Citz for Jim Wise **	1550.00	1 semi
22167	Citz for Stefani	5000.00	None
22424	Friends of Keith Jackson **	5000.00	None
22504	Citz for Ubi O'Neal **	1550.00	None
22548	Friends of Frank McPartlin **	5000.00	Viol of Bd Order
22651	Friends of Gay Johnson **	1550.00	1 semi
22754	Citz for Sharon Oden Johnson **	750	1 pre
22791	St Clair County Constitution Party	1450	1 semi
December 2010 Semi-annual Report			
Cmte No	Cmte Name	Amt of Fine	Previous Violations
822	NISMA	125.00	1 semi
6597	Dist 230 Teachers Assn Pac	2000.00	None
7365	Chicago Cosmetologists Assn	2725.00	None
15431	42 nd Ward Rep Org.	2325.00	1 A-1
16376	Lincoln Rep Club of Bureau Co	2700.00	None
18379	Citz for Stephen Stern **	3275.00	None
20017	Tim Wise for Henry Co Sheriff **	1750.00	1 semi
20312	42 nd Ward Regular Rep Org.	4200.00	1 semi
20616	Friends of Bill Gentes **	275.00	None
20744	Lakefront Dem Fund	2900.00	None
20780	Friends of Eloise Gerson	4200.00	1 semi
21387	Citz to Elect Carol Barnes **	4900.00	1 semi

21547	Friends of Mike Hilliard **	525.00	None
22464	Concerned Citz to Build a Better Gov't **	2950.00	None
22477	United for Nogueras **	1975.00	None
22766	Friends to Elect Avon One **	1350.00	1 semi
22772	IL Values First **	2450.00	None
22967	Friends for Scott Pollak	900.00	None
23051	Project Mobilize **	3100.00	None
23066	Citz for Dave Barry	2000.00	None

March 2011 Quarterly Report

Cmte No	Cmte Name	Amt of Fine	Previous Violations
409	IL School Psychologists Pac	2450.00	1 semi
1011	Verizon Good Gov't Group	1100.00	None
10708	Citz for O'Neill	1150.00	None
14921	Citz to Elect William B Sullivan	1125.00	None
16367	Citz to elect Eddie Washington	2600.00	None
16393	Friends for Yolanda Campuzzano	1025.00	None
17046	Citz to elect Norman Bolden	3825.00	1 semi
18099	Chicago Republican Party	2650.00	1 semi
18746	Mark Gerginin Campaign **	3600.00	1 semi
20254	Friends of William J Burch **	5000.00	1 semi, 1 pre
21582	Friends of Terry Stephens **	2450.00	1 semi
22759	Lawson for Lawndale	1300.00	None
23006	Citz for Burch	1000.00	None
23068	Friends of David Young	1275.00	None
23160	MAC	2650.00	1 semi
23182	Friends of Brian Scott **	1100.00	None
23328	Cmte to Elect Workman **	1000.00	None
23413	Citz for Impact	1150.00	None
23474	Citz to Elect Mary Maloney **	1300.00	None
23489	Friends of Rachael Adlam **	1300.00	None
23530	Advocates for Thornton HS 205	1350.00	None
23561	Friends of Sam Yingling	2750.00	None
23587	Cmte for a Better Shawnee **	1100.00	None

June 2011 Quarterly Report

Cmte No	Cmte Name	Amt of Fine	Previous Violations
128	Massac Co Rep Women's Club	225.00	3 semi (pd)
287	Knox Co Dem Central Cmte	25.00	1 A-1
326	Illinois NOW Pac	150.00	2 semi (pd)
334	Saline Co Dem Central Cmte	350.00	None
342	Barrington Twp Republican Org	50.00	None
350	Lake Co Republican Central Cmte	50.00	None
352	Iroquois Co Republican Cent Cmte	100.00	None
382	Brown Co Republican Cent Cmte	75.00	None
385	Brown Co Dem Central Cmte	25.00	None
488	ITW State PAC	275.00	None

574	People for Jerry Washington	275.00	None
596	INA-PAC	50.00	None
969	Il Medical Eye Pac	50.00	None
999	Il Prof Firefighters PEC	500.00	None
1035	Bridge Structural & Reinforcement Iron Workers	25.00	None
1052	Cmte to Elect Qualified Judges	75.00	None
1152	Independent Finance PAC	50.00	None
4271	United Home Owners/Good Gov't Party	50.00	None
4297	Voters Improvement Party	100.00	None
4718	Cmte to Elect John Johnsen	850.00	None
4924	Family Taxpayers Network	400.00	1 semi
5055	Concerned Citz for Education	150.00	None
5164	Mercer Co Dem Central Cmte	375.00	None
5303	Elgin Twp Republican Central Cmte	175.00	None
5394	Pechous Campaign Fund	550.00	None
5425	Capital City Rep Women	150.00	2 semi (pd)
5713	Il Evening Republican Club	25.00	None
5724	Monroe Co Women's Republican Club	100.00	None
6270	Citz for Peschke	125.00	None
6305	Build Sangamon Co Pac **	125.00	None
7041	Citz for Dwight Welch	75.00	None
7132	Citz for Kagann	25.00	None
7709	Citz for Cepero	400.00	None
7780	Campaign to Elect Thomas Brown State's Attny	275.00	None
8310	Citz to Elect Jerry Hooker Judge	75.00	None
8368	Citz for Duane Bradley	325.00	None
8419	Citz for Maureen Josh	50.00	None
9153	Cmte to Elect Daniel Conness	200.00	None
9326	Friends to Elect Dayton	150.00	None
9379	Citz for Sig	75.00	3 semi
9763	Hispanic Rep Coalition	325.00	None
9921	The Alliance PAC	100.00	None
10041	Citz for Steven Robert Verr *8	25.00	None
10076	Citz for Bob Huston	125.00	None
10121	Citz for Howard	25.00	None
10207	Chicago Bar Assoc Judicial Cmte	25.00	None
10371	Citz for Goleman	25.00	None
10591	Friends of Walter Burnett Jr	50.00	None
10649	Southwest Will Co Republicans **	125.00	None
11284	Brophy for Joliet Campaign Cmte **	250.00	None
11324	Citz to Elect Stan Brandmeyer	150.00	None
11428	Coalition of IL Counseling Orgs PAC	75.00	None
11463	39 th Ward Reg Democratic Org	25.00	None

11594	Robert Wilson Campaign Cmte	250.00	None
11606	Citz for Stec **	125.00	None
11794	Citz for Francisco Perez	200.00	1 semi
12078	18 th Ward Democratic Org	50.00	None
12188	Operators Action Fund	250.00	None
12331	Friends for William McClusky	125.00	None
12404	Citz to Elect Patrick Gordon	75.00	2 semi (pd)
12597	Citz for Holt	100.00	None
12702	Citz to Elect Michael Munson	25.00	None
12714	HWP Precinct Org	300.00	None
13568	Patti Hahn for Marion County	275.00	None
13686	Citz to Elect Sam Simone	100.00	None
13750	Citz to Re-elect David Snyders **	300.00	None
13984	Il Staffing Assn	225.00	3 semi
14061	Citz for Peckham	175.00	None
14130	Friends of Dorothy Brown	550.00	None
14154	Dem Governors Assn	150.00	None
14286	Il Roofing Contractors Pac	275.00	None
14832	Friends of Hurckes	25.00	None
14895	Cmte for a Better Berwyn	25.00	None
14923	Citz for David Miller	800.00	1 semi
15090	Cmte to Elect Thomas David Roti Judge **	300.00	None
15116	Friends to Re-elect John Callahan	25.00	None
15121	Friends of Mary Beth Tighe	400.00	2 semi
15318	Cmte to Elect Rosemary Palmer	300.00	None
15354	Il Psychiatric Society Pac	250.00	None
15501	Advance 300	100.00	None
15786	525 Political Club	50.00	None
16146	Booras for Judge	50.00	None
16219	Friends of Robert Ingrassia **	25.00	None
16287	Citz to Elect Michael "Mike" Stutley	50.00	None
16556	Ctz for William Moss	50.00	None
16725	Friends of Jan Carlson	75.00	None
16772	Cmte to Elect Sue Draffkorn	75.00	None
16985	Citz to Elect Harold "Noonie" Ward	200.00	None
17073	Citz for David Mendenhall	275.00	None
17163	Citz for Ariel Reboyras	50.00	None
17289	Friends of Richard Gordon	250.00	None
17290	Friends of George Cardenas	50.00	A's (pending appeal)
17447	Citz for Patricia Gira	100.00	None
17527	Chester "Chet" Olson Campaign for Mayor	75.00	None
17602	Friends of Tony Mayville	25.00	None
17770	Chicago Area Chapter of Natl Assn of Women	25.00	None
18042	Il Alliance for Good Govt	50.00	None
18128	30 th Ward Regular Dem Org	25.00	None
18190	Friends of Dr Chris Wanguard	100.00	1 semi

18237	Citz for Todd Walker **	275.00	None
18248	Citz to Elect Deidre Ann McGuire Judge	375.00	None
18410	Friends of Mike Jacobs	50.00	A-1's (pd)
18436	United Citz Party	50.00	None
18437	Friends of Jerry Marzullo	50.00	1 semi
18524	Citz for Garry Grasso	100.00	None
18568	United Peoples Party	25.00	None
18911	Manteno Unity Party	75.00	None
18978	Friends of Tara McAmerny Gibbs	25.00	None
19105	E6 Pac	100.00	1 semi
19190	Sangamon Co Dem Labor Caucus	75.00	None
19390	Friends of Lee Roupas	25.00	None
19420	Solutions NOW	375.00	None
19460	Polish American Congress Pac	825.00	4 semi (pd)
19694	Niles Twp Democratic Org	50.00	None
19748	Hispanic Majority PAC	50.00	None
19809	Palos Twp Republican Org	25.00	None
19908	Friends of Steven Carlson	200.00	1 semi
19954	People for Kusta **	25.00	None
19961	Friends of Don Labriola	100.00	None
19976	Crete Twp Democrats	100.00	None
20015	Citz to Elect Lona Lane	50.00	None
20028	Voters for Val **	50.00	1 semi
20202	Friends of Rodney Craig for Village President	25.00	None
20282	Cook Co Republican Party	25.00	None
20375	Citz for Prendeville **	350.00	None
20382	Citz for Scott **	550.00	None
20483	Friends of Bob Struz **	25.00	None
20490	Friends for Mike Kurgan **	350.00	None
20498	Friends of Erick Beck	400.00	None
20587	Friends of Sandra Verthein	250.00	None
20606	Hogan for Appellate Court	150.00	None
20639	Friends for Laurie Smith	150.00	None
20673	Friends for Mary O'Connor	50.00	None
20680	Citz to Elect James Schlader	50.00	None
20714	Friends of Douglas Gliel	50.00	None
20871	Friends of District 116	25.00	None
20889	Friends of Dominique Ross	400.00	None
20898	Citz to Elect Suzanne Elder	250.00	None
20951	Coalition for Property Rights	600.00	2 semi
21009	Friends of Don Gray	150.00	None
21039	Friends of Mike Henshaw	125.00	None
21074	Citz for Castro	25.00	None
21085	Indian Prairie PAC for Education	150.00	None
21245	43 rd Republican Org	50.00	None
21478	Cook Co Bar Assoc PAC **	50.00	None

21512	Township Community Party	500.00	None
21529	Citz for Butler **	25.00	None
21531	Calumet Twp Regular Republican Org	50.00	1 semi
21544	Citz for Aaron DelMar	375.00	None
21573	Friends of Dennis Pauley	150.00	None
21642	Oak Lawn Leadership Team	25.00	None
21647	12 th Ward Ad Book Cmte	150.00	2 semi
21823	Civic Coalition of Aurora & Naperville	25.00	None
21848	Citz for Ryan Higgins	75.00	A-1's (pd)
21893	Citz for Ted McKenna	50.00	1 semi
21958	Citz for Ryan "Todd" Weihs	225.00	A-1's
21991	Citz for Dale Adams	150.00	A-1's
22016	Citz for George Yukich **	350.00	None
22118	Friends for Jesse Outlaw	25.00	None
22484	Citz for Dave Demler	75.00	None
22551	Friends of James Widdop Jr	150.00	None
22560	Friends of Linnae Bryant	100.00	None
22589	Citz for Christopher Getty	50.00	None
22597	Citz for Cindy Hebda	300.00	None
22609	41 st Ward Democratic Org	50.00	None
22661	Friends of Brian Duesel	50.00	1 semi
22686	Citz of Princess Dempsey	50.00	None
22696	Friends of Mayor Charles Griffin	50.00	1 semi
22705	Neighbors for Nowotny	650.00	None
22763	Friends of Chad Kalecki	250.00	None
22789	Communications Cmte of Mercer Co Demo	75.00	None
22809	Citz for Ryan Eggert	300.00	None
22848	Citz for Millburn Dist 24	400.00	None
22868	Citz for Jonathan Stamps	275.00	None
22893	Friends of Mary Russell Gardner	150.00	None
22923	Friends to Elect Ward for the 45 th	150.00	None
22938	Citz to Elect Sondra (Sam) Spellman	500.00	1 semi, A-1's
22944	Friends of Wendell Mosby	50.00	1 semi
22948	Broadview United	50.00	1 semi
22965	Cary CARES **	25.00	None
22998	Friends for Nancy Schiavone	650.00	None
23076	Citz to Elect Michael Davis	75.00	None
23079	Friends of Raymond Lopez	75.00	None
23087	Friends for Ryan Graves	325.00	None
23137	Friends of Dan Sodaro	50.00	None
23145	Citz for Thomas Patrick Murphey	150.00	None
23165	Friends for Sheryl Morabito	600.00	None
23179	David Estes for Alderman	50.00	None
23190	New Progress	400.00	None
23289	Friends of Kypuros	50.00	None
23292	Citz for Grayeb **	50.00	None

23317	Citz for Matthew Walsh	25.00	None
23324	Cmte to Re-elect Roy Mosley	125.00	None
23384	Pro-Library Cmte **	25.00	None
23388	Citz for Powell, Brady & Cardella	50.00	None
23393	Cmte to Elect Jeff Radford Sr	25.00	A-1's
23405	The Peoples Voice Party	125.00	None
23411	Friends of Kate Tammen **	175.00	None
23422	Community Conscious Citz Party **	125.00	None
23426	The Ault Campaign	25.00	None
23440	Top 3 for 230	25.00	None
23445	Citz for a Better E Dubuque	325.00	None
23454	Small for 113	200.00	None
23471	Cmte to Elect Tom Poynton **	250.00	None
23485	Resident for Sandy Baldwin **	250.00	None
23527	Friends of Billy Earl	25.00	None
23557	Citz for O'Malley	125.00	None
23565	Franklin Park Independent Tea Party	250.00	None
23611	Ronald Pratl Campaign Cmte 2011 **	150.00	None
23617	Friends of Dick Breckenridge	350.00	None
23636	Friends of Edwenna Perkins	400.00	None
23654	Democratic Women of the South Suburbs	25.00	None
23666	Teamsters Local 330 PAC Fund	50.00	None
23668	Alton Twp Dems	75.00	None
23675	Cmte to Elect Larry Axelrood	350.00	None
23684	Cement Masons Union Local 502 Pac	25.00	None
23690	Rene Hernandez Jr for Lake County	25.00	None
Schedule A-1 (10 AG)			
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
4288	Calumet Twp Regular Dem Org	1000.00	100.00
17024	JUSTPAC	13290.00	1329.00
Schedule A-1 (11 AM)			
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
667	Tazewell Co Republican Central Cmte	600.00	60.00
4261	Friends of Mary Flowers	500.00	50.00
17239	Citz for Officer	750.00	75.00
23097	Davis for Mayor	13875.00	1388.00
23130	Friends of Enrique	2250.00	225.00
23136	Cmte to Elect Bryan Lynch	3000.00	300.00
23144	Richard for Dist 65 *8	500.00	50.00
23239	Tony Blumberg for Highland Park	500.00	50.00
23244	Coalition Party of Justice	750.00	75.00
23294	Friends of Brian Murphy **	1625.00	163.00
23352	Friends of Pete Quattrocchi **	500.00	50.00
23546	Citz for Dianne Polomsky	1000.00	100.00

Schedule A-1 (11 AJ)			
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
803	NFIB II Safe Trust	3500.00	1750.00
1157	IUOE Local 399	1000.00	100.00
1199	II Society for Respiratory Care PAC	500.00	50.00
1380	Asbestos Workers Heat & Frost Insulators	1512.00	152.00
1385	Electricians Loc 309 Voluntary Pac	543.00	55.00
4253	ICA Pac	500.00	50.00
5805	Cmte to elect Michael Tryon	1250.00	125.00
7496	Suzi Schmidt Campaign	500.00	50.00
8377	Citz Organized for Public Safety	690.00	69.00
11313	Friends of Clayborne	625.00	63.00
12190	SW II Building & Construction Trades Council	650.00	65.00
13537	II Assn of Fire Protection Districts Leg Pac	3250.00	325.00
14874	II Chapter NECA Pac	665.00	67.00
15753	Citz for David Webb	2750.00	1375.00
16139	Democratic Women of Knox Co	500.00	50.00
16359	People for Eddy	1000.00	100.00
16940	Business Pac of Central IL	3100.00	310.00
17298	Friends of Mark Guethle	750.00	75.00
17694	Christiansen for Chairman	14500.00	1450.00
18102	Friends of Terry Marketti	7913.00	7913.00
19565	Northern II Coordinated Camp Cmte	3000.00	300.00
19670	Rock Island Firefighters Loc 26 Pac	798.00	80.00
19781	II Fire Sprinkler Contractors Pac	1050.00	105.00
21208	United Party of Bloom Twp	3000.00	300.00
22875	Friends of Roderick T Sawyer	2000.00	1000.00
23228	Friends of James Duies	1802.00	181.00
23302	Care for 113 Schools	1100.00	110.00
23336	Cmte to Elect LaToya Greenwood	1000.00	100.00
23466	Friends for Jeremy Ly	1250.00	125.00
23505	Cmte to Elect Barbara Wells **	500.00	50.00
23676	WEGO for Fun	1500.00	150.00
Schedule A-1 (11 AS)			
Cmte No	Cmte Name	Amt of Fine	Percentage Reduction
11881	Bonnie Thompson Carter Cmte	1000.00	100.00
17071	II Society for Advanced Practice Nursing	1000.00	100.00
Multi-Assessments "MA"			
Cmte No	Cmte Name	Amt of Fine	Previous Violations
1382	Delphi Financial Group Inc Pac	15,000.00	None
4320	Citz for Davis	425.00	2 semi (pd)
11832	22 nd Ward Dem Committeeman Fund	4400.00	2 semi (pd)
13630	Concerned Voters for Protter	10375.00	6 semi
15364	Mexican American Pac	300.00	None
15421	25 th Ward Reg Dem Org	1675.00	A-1's (pd)
17652	Citz for Blackburn **	3650.00	None

18183	Citz for Spitz	5525.00	None
19733	Citz to Re-elect John Pope	7800.00	1 semi
19775	Young Dems of Cook County	10000.00	3 semis (2 pd)
19787	Friends of Marion **	2175.00	None
21676	Citz for Deyon Dean	10,000.00	1 semi
22514	Citz for Coles County Tax Swap **	9125.00	None
22650	The Alliance	10,475.00	None
22837	Kane County Young Republicans	165.00	1 semi
23044	Friends of Sylvia Jones	2625.00	None
23064	Friends of Michael Smith	1550.00	None
23128	Friends for Coffey **	938.00	None
23360	Citz for Good Gov't	600.00	None
23576	Dads for Plains **	1250.00	None
23671	Il Federation of Public Employees	6200.00	None
23693	Friends to Elect Andrew Timms	18,975.00	None

(** - DENOTES COMMITTEES THAT HAVE FILED A FINAL REPORT)

STATE BOARD OF ELECTIONS**1020 South Spring Street****Springfield, Illinois 62704****217/782-4141****Sharon Steward, Director, Campaign Disclosure Division**

To: Rupert T. Borgsmiller, Executive Director, Members of the Board

Re: Payment of Civil Penalties - Informational

Date: 8/4/2011

The following committees have made payment of outstanding civil penalties for the period of 9/9/11 - 10/4/11.

Cmte ID	Cmte Name	Amt of Check	
21849	Patricia Lenzi PAC	\$600.00	
21160	Republican Org of Elk Grove Twp	\$50.00	
18578	New Students First Party	\$540.00	
4551	MORE PAC	\$963.00	
22181	Cmte to Elect Rich Morthland	\$1,000.00	
20107	Friends to Elect Toni I. Foulkes	\$400.00	
9808	Friends of Margaret Laurino	\$25.00	
15686	Neighbors Active Party of Stone Park Political Cmte	\$1,050.00	
21160	Republican Org of Elk Grove Twp	\$50.00	
675	Illinois Hospital Assn PAC (IHA PAC)	\$2,500.00	
22097	Brady PAC - Illinois	\$1,575.00	
	Democrats for Community Success for Parks, Golliday.		
22222	Mosley & Neely	\$1,130.00	
22124	IL Pavement Preservation & Maintenance PAC	\$400.00	
23367	Education First in 113	\$100.00	
19466	East St Louis Democratic Club	\$75.00	
18118	The New 37th Ward Democratic Organization	\$2,525.00	
15622	Citizens to Elect Emma Mitts	\$650.00	
21983	Friends of Tom Wendorf	\$150.00	
384	Madison County Republican Central Comm	\$50.00	
9963	Friends for Poe	\$375.00	
1041	Balanoff Political Fund	\$100.00	
22494	Friends of Marla Wilson	\$4,527.33	
18097	Dundee Township Democratic Central Committee	\$50.00	
23420	United for 89	\$896.00	
12866	Bukowski for Sheriff Committee	\$200.00	
14213	OP & CMIA Local 11 Committee for Policical Education	\$225.00	
21526	Friends of Mike Warren	\$250.00	
19738	Citizens to Elect Jil Tracy	\$100.00	
22573	Friends of Melisa Taylor	\$675.00	Credit Card
21552	Blackhawk Township Democrats	\$375.00	
580	Chicagoland Chamber of Commerce PAC	\$119.00	
22966	Friends of Federico	\$175.00	
22238	Friends of William J Kelly	\$600.00	
22056	Citizens to Elect Mike Shorten	\$175.00	

345 McDonough County Republican Central Comm	\$245.00
13356 Silverstein for Senator	\$100.00
21815 Friends of Bernie Anderson	\$206.00
19076 Citizens for Hutchinson	\$75.00
21770 Citizens to Elect Linda J Pael	\$254.95
21770 Citizens to Elect Linda J Pael	\$140.05
23093 Committee to Elect Neighborhood Voice Party	\$325.00
23093 Committee to Elect Neighborhood Voice Party	\$290.00
15686 Neighbors Active Party of Stone Park Political Committee	\$1,050.00
5288 Henry County Republican Central Committee	\$100.00
22819 Southland Democrats	\$100.00
23364 Committee to Elect Jose Guereca	\$350.00
1681 Citizens for Skoien State Committee	\$175.00
22818 Friends of John M Guevara	\$1,450.00
17403 Citizens for Segvich	\$100.00
1132 Sangamon County Republican Central Committee	\$1,000.00
18614 Friends of "AJ" Wilhelmi	\$1,000.00
18001 Committee to Re-Elect Larry R Rogers Jr	\$435.00

Total Amount Paid for this Period: \$30,071.33

Year to Date Totals:

1/8/11 - 2/10/11: \$8511
 2/11/11 - 3/10/11: \$7592
 3/10/11 - 4/6/11: \$3100
 4/7/11 - 5/11/11: \$22506.63
 6/3/11 - 6/20/11: \$8481
 6/21/11 - 8/4/11: \$35,342.50
 8/5/11 - 9/7/11: \$11,192.45
 9/8/11 - 10/4/11: \$30071.23

Payment Plan update

Cook County Democratic Women
 Friends of Marla Wilson

STATE BOARD OF ELECTIONS



From the desk of.... Mark Mossman, Director of Election Information
Phone: 217-557-0855
Email: mmossman@elections.il.gov

To: Rupert T. Borgsmiller, Executive Director
Re: Petition Copy Fees, And Provision of Copies on CD Without Paper Copies
Date: October 5, 2011

For the first time ever, petitions filed for the 2010 General Primary Election (859 petitions consisting of 174,475 pages) were scanned. The most notable benefits of scanning are getting a permanent record of all filings and being able to print from the scanned file rather than from the original petition (enhancing security and protecting the integrity of the documents). We are also able to print copies in the Chicago office as well as in the Springfield office, giving much quicker turnaround times. This greatly benefitted the requestors and gave some cost savings to the SBE.

For the 2010 filing period, a compact disc (CD) containing a scanned copy of each petition requested was provided in addition to each printed copy. This "test run" was very well received by petition requestors. Many individuals preferred the CD only and we believe that many more would have done so had we offered that option with a pricing structure that passed on some of the considerable cost savings that the CD only scenario provides to the SBE.

Based upon the favorable reception of the petition copies provided on CD and the opportunity to realize substantial savings, I am recommending a revised pricing structure on petition copy requests, which will encourage requestors to choose a CD only option and help shift us away from having to provide printed copies.

Providing printed copies costs the SBE several cents in printer cartridge and paper costs for each individual page printed, while even the largest petition fits onto a single CD costing approximately \$.20 per disc. It is important to keep in mind that the costs associated with providing petition copies come out of the SBE budget, while all of the revenues generated from copy fees go to the state's general revenue fund. The SBE pays all of the costs but keeps none of the revenues.

In the past, paper copies have been provided with a charge of \$.25 per page. This is a fairly common paper pricing structure and is widely accepted. I recommend that this price remain in place for non-FOIA paper copy requests, with FOIA requests being handled under the SBE's normal FOIA policy. I further recommend that a CD only price be instituted, at a flat \$5.00 per CD.

In addition to the significant savings to the SBE from encouraging CD only requests, the recommended new price structure would also allow petition requestors to save money on all but the smallest petitions by ordering only the CD from the SBE and having paper copies made at a commercial copying establishment such as FedEx Office, Office Depot or UPS Store outlets (depending on the commercial service chosen, a requestor could save money in this way on petitions of more than 30 to 35 pages).

For all of those reasons, I recommend that the price structure set forth above be implemented for petition copy requests for the upcoming filing periods.

STATE BOARD OF ELECTIONS

STATE OF ILLINOIS

1020 South Spring Street, P.O. Box 4187
Springfield, Illinois 62708
217/782-4141 TTY: 217/782-1518
Fax: 217/782-5959

James R. Thompson Center
100 West Randolph, Suite 14-100
Chicago, Illinois 60601
312/814-6440 TTY: 312/814-6431
Fax: 312/814-6485



EXECUTIVE DIRECTOR
Rupert T. Borgsmiller

MEMORANDUM

BOARD MEMBERS

William M. McGuffage, Chairman
Jesse R. Smart, Vice Chairman
Harold D. Byers
Betty J. Coffrin
Ernest L. Gowen
Judith C. Rice
Bryan A. Schneider
Charles W. Scholz

To: Steve Sandvoss, General Counsel
From: Kenneth R. Menzel, Deputy General Counsel
Re: Green Party Status For 2012 Elections
Date: October 3, 2011

The Illinois Green Party, by its state chairman's letter to General Counsel Sandvoss dated September 12, 2011, has taken issue with the position taken in the 2012 Candidate's Guide that the party is no longer an "established party" in any of the Congressional or General Assembly Districts of the state, despite Green Party candidates having received five percent (5%) or more of the vote in several such districts at the 2010 General Election.¹ Based on that position, the staff had previously indicated to the Green Party that the State Board of Elections would not accept petition filings from Green Party candidates seeking nomination at the 2012 General Primary.

As detailed herein below, it would appear that the position taken in the 2012 Candidate's Guide is correct under the current state of Illinois law. On that basis it would be appropriate to refuse any offered filings by Green Party candidates seeking nomination at the 2012 General Primary in accordance with our longstanding policy of not accepting petitions presented in the wrong filing period or relating to offices which will not be up for nomination or election at the next ensuing election.

Section 10-2 of the Illinois Election Code (10 ILCS 5/10-2) defines an "established political party" and provides for such parties to be established either at all levels of government (from statewide down to the municipal level), or to be established on an individual unit by unit or district by district basis, as follows:

¹ Green Party candidates exceeded the five percent (5%) vote threshold in the 2nd, 3rd, 4th and 18th Congressional Districts and the 29th, 39th, 68th, 79th, 105th and 115th Representative Districts at the 2010 General Election. The party did not raise any issue as to the 22nd Judicial Circuit (which serves the territory of McHenry County), although a Green Party candidate running for Sheriff of McHenry County did receive more than five percent (5%) of the vote at the 2010 General Election.

"A political party which ... polled for its candidate for Governor more than 5% of the entire vote cast for Governor, is hereby declared to be an "established political party" as to the State and as to any district or political subdivision thereof.

A political party which, at the last election in any congressional district, legislative district, county, township, municipality or other political subdivision or district in the State, polled more than 5% of the entire vote cast within such territorial area or political subdivision ... is hereby declared to be an "established political party" within the meaning of this Article as to such district or political subdivision...

A political party which continues to receive for its candidate for Governor more than 5% of the entire vote cast for Governor, shall remain an "established political party" as to the State and as to every district or political subdivision thereof. But if the political party's candidate for Governor fails to receive more than 5% of the entire vote cast for Governor, or if the political party does not nominate a candidate for Governor, the political party shall remain an "established political party" within the State or within such district or political subdivision less than the State, as the case may be, only so long as, and only in those districts or political subdivisions in which, the candidates of that political party, or any candidate or candidates of that political party, continue to receive more than 5% of all the votes cast for the office or offices for which they were candidates at succeeding general or consolidated elections within the State or within any district or political subdivision, as the case may be..." 10 ILCS 5/10-2 (Emphasis added).

On the basis of the Green Party gubernatorial candidate's vote in the 2006 General Election, the party had been an established party at all levels of government through the 2010 General Election. The failure of its gubernatorial candidate to pass the five percent (5%) threshold in 2010 resulted in the party losing that all encompassing established party status and left it established only in those more localized areas where its candidates did poll above that threshold.

In the absence of redistricting, the Green Party would have remained established in each of the Congressional and Representative Districts where their candidates polled above the threshold. However, redistricting raises the issue of whether the party would be deemed to remain established in some of the new districts based on its performance in the old districts.

Ten (10) years ago, this similar issue was presented by the Libertarian Party (which had managed to poll above the threshold in some Representative Districts). The 2002 Candidate's Guide asserted the position that the Libertarian Party was established in each Representative District under the new map that contained any portion of a Representative District where the party was established under the old map.

Two court cases arose from objections to Libertarian candidates for Representative, one heard by the State Board of Elections and one heard by the DuPage County Board of Election Commissioners.² In Preuter v. State Officers Electoral Board (1st Dist. 2002), 334 Ill.App.3d 979, 268 Ill.Dec. 708, 779 N.E.2d 322, the court dealt with the matter heard by the State Board of Elections sitting as the State Officers Electoral Board. The court did not

² The Representative District at issue was wholly contained within DuPage County, making the DuPage County Board of Election Commissioners the appropriate electoral board to hear the objection under Section 10-9 of the Illinois Election Code (10 ILCS 5/10-9).

provide a clear answer to the question of whether the party should be deemed to be established in the new Representative Districts, but instead held that the Board was estopped from removing the candidates from the ballot because they had relied on the information published by the Board in the 2002 Candidate's Guide.³

In *Vestrup v. DuPage County Election Commission* (2nd Dist. 2002), 335 Ill.App.3d 156, 268 Ill.Dec. 762, 779 N.E.2d 376, the court clearly and explicitly ruled that the position taken by the 2002 Candidate's Guide was wrong. The court stated:

"That [established party] status, we emphasize, is conferred with respect to districts and political subdivisions, not geographic areas that exist independently of districts and political subdivisions. Necessarily, then, a party's status as an established political party in a particular representative district does not outlast in any fashion the existence of that district once it has been altered by redistricting." 779 NE2d at 382.

Reading the *Vestrup* and *Preuter* cases together supports the position taken in the 2012 Candidate's Guide, and I would not recommend any change whatsoever.


I would note an additional related issue not raised by the Green Party's letter. The 22nd Judicial Circuit consists solely of McHenry County. The 2012 Candidate's Guide does not provide for the Green Party as an established party in that circuit, even though a Green Party candidate for McHenry County Sheriff received more than five percent (5%) of the vote in the 2010 General Election.

Two courts considering an analogous issue have ruled that a new political party seeking to run candidates for county office is not required to field candidates for any open circuit court judicial positions when the county has coextensive boundaries with the judicial circuit. *Reed v. Kusper* (1993), 154 Ill.2d 77, 607 N.E.2d 1198, 180 Ill.Dec. 685. *Black v. Cook County Officers Electoral Board* (N.D. Ill. 1990), 750 F.Supp. 901.⁴

The court in *Reed*, in upholding the Cook County Officers Electoral Board, stated:

We agree with the reasoning of the board, and therefore adopt its conclusion that the judges at issue "are elected not from the County of Cook as a *unit of local government*, but rather from the Cook County *Judicial District* ... which is a different unit of government." 607 NE2d at 1203 (Emphasis in original).

It is my opinion that the same rationale would lead to the conclusion that a political party becoming or remaining established at the county level would not result in the party becoming or remaining established at the judicial circuit level where a county and a judicial circuit have the same boundaries.


Kenneth R. Menzel
Deputy General Counsel

³ While not giving an explicit answer, by estopping the Board from removing the candidates rather than simply ruling that the position set forth in the 2002 Candidate's Guide was correct, the court at least impliedly indicated that the 2002 Candidate's Guide was wrong.

⁴ Section 10-2 of the Illinois Election Code (10 ILCS 5/10-2) requires that a new party field candidates for every available office at the state level or in the particular political unit or subdivision where the new party wishes to field any candidate.



ILLINOIS GREEN PARTY

P.O. Box 471278 Chicago, IL 60647 312-252-3066 info@ilgp.org www.ilgp.org

September 12, 2011

Illinois State Board of Elections
Attn: Steve Sandvoss, General Counsel
1020 S. Spring St.
Springfield, IL 62704

Dear Mr. Sandvoss:

I am writing today on behalf of the Illinois Green Party on the matter of the ISBE's apparent interpretation of the Illinois Election Code and pertinent case law as regards the Green Party's established party status at district levels across Illinois.

You are no doubt aware of many of the pertinent facts at hand. In November 2010, several Green Party candidates for U.S. Congress and General Assembly exceeded 5% of the vote. Subsequently, the districts in which those candidates received 5% were redrawn by the General Assembly as part of the decennial redistricting process.

Section 10-2 of the Illinois Election Code reads in part:

"A political party which, at the last election in any congressional district, legislative district, county, township, municipality or other political subdivision or district in the State, polled more than 5% of the entire vote cast within such territorial area or political subdivision, as the case may be, has voted as a unit for the election of officers to serve the respective territorial area of such district or political subdivision, is hereby declared to be an 'established political party' within the meaning of this Article as to such district or political subdivision."

It is the Green Party's contention that the plain language of Section 10-2 should be construed to mean that any newly drawn district which includes any geographic area which was, as of November 2010, within the boundaries of a district in which a Green Party candidate received more than 5% of the vote in November 2010, is a district in which the Green Party should be considered an established political party.

In 2002, under similar circumstances, Libertarian Party candidates sought placement on the ballot in numerous representative districts. The nominating papers of these candidates were challenged, and two separate appellate court cases emerged. In one of these cases, *Vestrup v. DuPage County Election Commission* [335 Ill. App.3d 156, 779 NE 2d 376 (2002)], the court ruled candidate Vestrup off the ballot based on the court's interpretation of Section 10-2 of the Election Code. In the other case, *Preuter v. State Officers Electoral Board* [779 N.E.2d 322, 334 Ill. App.3d 979 (2002)], the court sided with candidates Hadraba, Dubovik, and Tepley.

We understand that these contradictory decisions create a difficult situation for the ISBE and for all election authorities within the state in providing information for candidates and voters. We

have learned, however, that the ISBE has chosen to rely solely on the *Vestrup* decision. Officials with local election authorities have told some of our officers that the ISBE has referred them to *Vestrup* and no other cases. And the 2012 Candidate's Guide does not reference the Green Party at all, a clear indication that *Preuter* is not being considered.

In addition to the congressional and legislative districts, Green Party candidates exceeded 5% of the vote in other jurisdictions, including county board districts in Cook, Jackson, and Kendall Counties, the entireties of McHenry County and McLean County, and the Metropolitan Water Reclamation District of Greater Chicago. While the ISBE does not have direct jurisdiction in these areas, we believe local election authorities may be under the erroneous belief that established party status is "all or nothing", and that ISBE information regarding *Vestrup* may have contributed to this lack of understanding.

The *Preuter* decision reads in part: "The ostensible limitation on ballot access in section 10-2 is ambiguous, particularly given the facts of this case; imposing the limitation in this case would be neither reasonable nor just." The circumstances in *Preuter* are sufficiently similar to the circumstances at hand; and while *Vestrup* contradicts it, it does not override it. If the ISBE is going to provide advice or citations to local election authorities, the *Preuter* decision should be provided any time the *Vestrup* decision is provided.

We also feel that the 2012 Candidate's Guide, by failing to mention the Green Party, improperly prejudices candidates and voters. Because the circumstances are ambiguous, we maintain that prevailing case law – including that cited by *Preuter* – compels the ISBE to include information about the Green Party, perhaps along with a disclaimer, similar to how the ISBE handled the situation in 2002 as regarded the Libertarian Party.

We are therefore requesting the following actions on the part of the ISBE:

- An amendment to the 2012 Candidate's Guide which includes information regarding the Green Party's established party status pursuant to the *Preuter* decision.
- A formal decision by the ISBE that nominating papers submitted by Green Party candidates for the 2012 primary election for office in relevant districts will be accepted by the ISBE, notwithstanding potential objections as provided for by the Election Code.
- The transmission of a letter to various local election authorities providing information about the *Preuter* decision, and advising those authorities that they also should accept Green Party primary petitions in relevant districts or jurisdictions as "established party" candidates, notwithstanding potential objections as provided for by the Election Code.

We are aware that ultimately the issues at hand would likely have to be dealt with either by action of the General Assembly, or by a ruling of the Illinois Supreme Court. In the meantime, however, it is vital that the ISBE provide complete and unbiased information, including information as to how it intends to deal with the submission of nominating papers by Green Party candidates. If it is the intention of ISBE to refuse to accept such nominating papers at all, then potential candidates and all voters within Illinois need to be aware of such intention.

We would be happy to discuss this situation with you further. We realize how difficult and confusing this matter is for ISBE, and how it could only be more difficult for local election authorities who are even less versed in these issues. We have no interest in an adversarial posture vis-à-vis any election authorities. We wish to protect the rights of our members and all voters within the state, and we know you share that wish.

Our legal counsel, Andrew Finko, can be directly contacted at 773-480-0616. I can be directly contacted at 309-268-9974 or at phil.huckelberry@ilgp.org. We can be faxed at 866-666-9540. Mail correspondence can be sent directly to my home address, on behalf of the party, at 5750 W Wilson Ave., Chicago IL 60630.

We request that you provide a written response to us by Monday, September 18.

Thank you for your consideration of these issues.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Huckelberry", with a large, stylized flourish at the end.

Phil Huckelberry
Chair, Illinois Green Party

Judges Schools GP 2012

Date	Jurisdiction	No. of Schools	Attendance Zone	
Thursday, January 26, 2012	Woodford	2	0	Three
Tuesday, February 28, 2012	Monroe	3	0	One
Wednesday, February 29, 2012	Monroe	3	0	One
Thursday, March 01, 2012	Fayette	2	0	One
Tuesday, March 13, 2012	Williamson	3	0	One

STATE BOARD OF ELECTIONS

**1020 South Spring Street
Springfield, Illinois 62704
217/782-4141**

Sharon Steward

Director, Division of Campaign Disclosure

To: Members of the Board, Rupert T. Borgsmiller, Executive Director, & Steve Sandvoss,
General Counsel

Re: Audits of Political Committees

Date: September 21, 2011

Pursuant to 10 ILCS 5/9-13, the Board is mandated to order political committees to conduct audits. Specifically, Subsection (c) reads as follows: *"In each calendar year, the Board shall randomly order no more than 3% of registered political committees to conduct an audit. The Board shall establish a standard, scientific method of selecting the political committees that are to be audited so that every political committee has an equal mathematical chance of being selected."*

Our rules provide that the method of selection shall be the same as what the Board uses to select the 5% of precincts in a given election jurisdiction for the purposes of conducting post-election retabulation. The decision regarding the percentage of committees to be audited in a given year shall be made by December 31st. The selection of committees to be audited shall take place no later than the first business day of February 2012 and shall be made from all active political committees on that date.

Since this will be the first time the Board will order such audits and given the fact that this whole process is unfamiliar to both the SBE and the political committees on file, staff recommends that .5% of all active political committees, or approximately 20 political committees, be selected for this first go-around.

The auditing process consists of the following actions:

- The selection of committees to be audited
- Notification provided to such committees
- Provision of guidance to such committees and answering their anticipated questions
- Approval of the auditor selected by the committee where such auditor is not a licensed CPA
- Providing for the excusal from conducting such audit to committees that meet certain criteria (which includes their filing a final report)
- Acceptance of the committee's audit report; Final determination as to the sufficiency of such audit, including the potential assessment of civil penalties;

Attached please find 10 ILCS 5/9-13 and Section 100.175 of Board Rules and Regulations governing the ordering of political committee audits.

10 ILCS 5/9-13 – Audits of political committees

5/9-13. Audits of political committees.

- (a) The Board shall have the authority to order a political committee to conduct an audit of the financial records required to be maintained by the committee to ensure compliance with Sections 9-8.5 and 9-10. Audits ordered by the Board shall be conducted as provided in this Section and as provided by Board rule.
- (b) The Board may order a political committee to conduct an audit of its financial records for any of the following reasons: (i) a discrepancy between the ending balance of a reporting period and the beginning balance of the next reporting period, (ii) failure to account for previously reported investments or loans, or (iii) a discrepancy between reporting contributions received by or expenditures made for a political committee that are reported by another political committee, except the Board shall not order an audit pursuant to this item (iii) unless there is a willful pattern of inaccurate reporting or there is a pattern of similar inaccurate reporting involving similar contributions by the same contributor. Prior to ordering an audit, the Board shall afford the political committee due notice and an opportunity for a closed preliminary hearing. A political committee shall hire an entity qualified to perform an audit; except, a political committee shall not hire a person that has contributed to the political committee during the previous 4 years.
- (c) In each calendar year, the Board shall randomly order no more than 3% of registered political committees to conduct an audit. The Board shall establish a standard, scientific method of selecting the political committees that are to be audited so that every political committee has an equal mathematical chance of being selected.
- (d) Upon receipt of notification from the Board ordering an audit, a political committee shall conduct an audit of the financial records required to be maintained by the committee to ensure compliance with the contribution limitations established in Section 9-8.5 and the reporting requirements established in Section 9-3 and Section 9-10 for a period of 2 years or the period since the committee was previously ordered to conduct an audit, whichever is shorter. The entity performing the audit shall review the amount of funds and investments maintained by the political committee and ensure the financial records accurately account for any contributions and expenditures made by the political committee. A certified copy of the audit shall be delivered to the Board within 60 calendar days after receipt of notice from the Board, unless the Board grants an extension to complete the audit. A political committee ordered to conduct an audit through the random selection process shall not be required to conduct another audit for a minimum of 5 years unless the Board has reason to believe the political committee is in violation of Section 9-3, 9-8.5, or 9-10.
- (e) The Board shall not disclose the name of any political committee ordered to conduct an audit or any documents in possession of the Board related to an audit unless, after review of the audit findings, the Board has reason to believe the political committee is in violation of Section 9-3, 9-8.5, or 9-10 and the Board imposed a fine.
- (f) Failure to deliver a certified audit in a timely manner is a business offense punishable by a fine of \$250 per day that the audit is late, up to a maximum of \$5,000.

Title 26: Elections, Chapter I: State Board of Elections, Part 100 – Campaign Financing

Section 100.175 Audit Findings for Political Committees

- a) The Board may order a political committee to conduct an audit of its financial records based upon criteria outlined in Section 9-13(b) of the Election Code. These criteria are limited to a situation in which:
 - 1) there is a discrepancy between the committee's ending and beginning balances contained in 2 or more successive reports;
 - 2) there is a failure to account for a previous investment or loan in a subsequent report or reports; and
 - 3) there is a willful pattern of nonreconciliation of contributions received from or expenditures made from one political committee to another political committee, such that the reported amounts of the one committee do not correspond with the reported amounts of the other committee.
- b) Conditions Precedent to Requirement for an Audit
 - 1) Prior to ordering an audit, the Board will send to the committee address, the committee chairman, the committee treasurer, and any candidate designated on the Form D-1 Statement of Organization as being supported by the committee a notice in the form of a pre-audit letter stating that the Board intends to order the committee to conduct an audit based upon reasons outlined in the letter.
 - 2) Prior to conducting an audit, the committee will be afforded an opportunity for a closed preliminary hearing to give reasons why the committee should not be ordered to conduct an audit, and the committee will be given an opportunity to correct the deficiencies or omissions that gave rise to the issuance of the pre-audit letter. At the conclusion of the closed preliminary hearing, a recommendation will be issued stating whether grounds exist to order the audit.
 - 3) If, after the closed preliminary hearing, the Board determines that there are insufficient grounds upon which to order an audit, no further action will be taken.
 - 4) If, after the closed preliminary hearing, the Board determines that there are sufficient grounds upon which to order an audit, the committee will be ordered to conduct an audit as provided in Section 9-13 of the Election Code.
 - 5) The procedures contained in 26 Ill. Adm. Code 125, Subparts A and B shall apply to the closed preliminary hearing to the extent that they are not inconsistent with the provisions of Section 9-13.
- c) Selection of Committees for Auditing:
 - 1) In each calendar year, the Board shall randomly select no more than 3% of the registered political committees to conduct an audit. No later than December 31 of the year preceding the selection, the Board will decide, based on staff recommendations, what percentage of political committees will be selected for audits in the year of the selection. The selection:
 - A) shall be made no later than the first business day in February; and
 - B) shall be made from all political committees on file with the Board whose status is active at the time of the random selection.
 - 2) The method of selection shall be the same method that the Board uses to select the 5% of the total number of precincts in a given election authority jurisdiction for the purposes of conducting a post-election tabulation as provided in Sections 24A-15, 24B-15 and 24C-15 of the Election Code. Once a committee has been selected to conduct an audit based on the random selection provided in subsection (c)(1), the Board shall send to the committee address, the committee chairman, the committee treasurer, and any candidate designated on the Form D-1 as being supported by this committee, a notice that the committee has been selected to conduct an audit. The provisions in subsection (b) relating to the closed preliminary hearing shall not apply to committees that have been randomly selected to conduct an audit; however, the committee may be excused from conducting an audit pursuant to subsection (b).

d) Auditor

1) A political committee that has been ordered to conduct an audit pursuant to subsection (a) shall hire an entity qualified to perform the audit, i.e., a licensed certified public accountant (CPA) or other person qualified to perform an audit. The auditor shall:

A) have the proper training and experience to perform a financial analysis of campaign finance committees. Such training may be the result of possession of a CPA license, possession of a degree in accounting from an accredited accounting or business school and/or experience as an accountant gained from past employment, and

B) not have contributed to the political committee during the 4 year period immediately preceding the order of the audit.

2) If the person selected by the committee to perform an audit is not a CPA, the committee shall, prior to the person conducting the audit, submit to the Board for approval the person selected. The committee shall include with the submission any information regarding the qualifications of the person to perform an audit that would inform the Board of the qualifications. The committee may appear before the Board to argue the selected person's qualifications. The Board shall provide written notice to the committee stating whether the selected person is approved and, if not approved, the reasons for denial of approval. If the Board does not approve of the person selected, the committee shall, within 10 business days after the date of the nonapproval notice, select another person to conduct the audit and submit that person for Board approval in accordance with this subsection (d).

e) Any audit ordered by the Board shall include and cover all financial records required to be maintained by the committee as provided in Section 9-7 of the Election Code. The audit shall be conducted in such a way as to ensure compliance with the contribution limitations set forth in Section 9-8.5 and the reporting requirements set forth in Sections 9-3 and 9-10. The records shall include any and all financial records in the possession or under the control of the committee or the financial institution in which the committee's funds are held, including, but not limited to:

1) Bank statements;

2) Deposit slips;

3) Internal registers or ledgers; and

4) Records maintained and stored in any type of electronic medium.

f) The audit shall only cover the 2 year period immediately preceding the order of the audit or the period of time since the committee was last ordered to conduct an audit, whichever is shorter. However, if any portion of these time periods covers a time in which the contribution limits provision of Article 9 of the Election Code was not in effect, those limits shall not be included in the scope of the audit.

g) If the Board determines that the committee is in violation of Sections 9-3, 9-8.5 or 9-10, it may assess a penalty for non-compliance consistent with the penalty provisions contained in those Sections and 26 Ill. Adm. Code 125.425. However, no additional penalty shall be imposed by the Board for any violation found as a result of a Board ordered audit if the Committee has previously been assessed a penalty for that violation.

h) Excused from Audit

1) Any political committee, other than a state central committee or a county central committee, ordered by the Board to conduct an audit whose chairman, treasurer or candidate on whose behalf the committee was formed, that states under oath in a signed and notarized affidavit, that the committee lacks the financial means to hire a CPA or other qualified person may, in lieu of conducting an audit, dissolve as a political committee and file a final report with the Board within 10 business days following the date of the notice of audit. The committee must remain dissolved for a period of at least 4 years.

- 2) If the committee fails to dissolve within 10 business days after the date of the notice of audit, the Board staff shall contact the committee within 2 business days and inform it that the option of excusing itself from conducting an audit will not be available to the committee unless it dissolves within 5 business days after being informed. If the committee does not dissolve within the 5 business days, the committee shall be required to conduct the audit under the provisions of Section 9-13 of the Code and Section 100.175 of this Part.
- 3) In order to be excused from conducting an audit, the committee must have a funds balance that does not exceed the cost of hiring a CPA or other qualified person, such cost being typical for the county in which the committee is located. The committee must submit with its affidavit a written cost estimate from at least one CPA or other qualified person located in the county in which the chairman, treasurer or candidate resides. The provisions of subsection (d) pertaining to restrictions on CPAs or other qualified persons chosen to conduct an audit shall also apply to the CPA or other qualified person whose fee is used as a basis to determine the financial ability of the committee to pay the cost of a CPA or other qualified person.
- 4) If a political committee dissolves as a result of its financial inability to conduct an audit, as provided in subsection (h)(1), and then reactivates during the 4 year period it was required to remain dissolved, as a condition of its reactivation, within 60 days after reactivation, the committee must conduct an audit covering the 2 year period immediately prior to the committee's dissolution.

(Source: Added at 35 Ill. Reg. 2295, effective February 4, 2011)

INTEROFFICE MEMORANDUM

To: Rupert T. Borgsmiller, Executive Director
From: Dianne Felts, Director of Voting Systems and Standards (VOSS)
Subject: Dominion's Edge2Plus firmware modification to 1.2.74
Date: September 21, 2011

The vendor, Dominion Voting Systems requests the Board's approval of the firmware upgrade to 1.2.74 for its Edge2Plus (direct recording electronic) voting equipment. Cook County and Chicago Board of Election Commissioners currently use Dominion's vote tabulation system.

Six staff members manually entered on the Edge2Plus 3,310 ballots for ten precincts in each of three different elections. We entered 1,656 ballots for a General Primary including five established parties' ballots along with two non-partisan ballots; we also entered 814 ballots which had 51 styles for the Consolidated Election and 840 ballots for a mock General Election. The only minor problem encountered was a change that we had requested to the original database. The vendor made the change but the office that was added appeared overlaid on top of another office. This was corrected on-site and we encountered no other problems. All ten machines that we voted on recorded/tabulated accurate counts; we found no tabulation errors.

VOSS recommends the Board grant interim approval to this firmware change.

Memorandum

From the desk of....Cristina Cray, Director of Legislation
Phone: 217-782-1577
Email address: ccray@elections.il.gov

To: Rupert Borgsmiller, Executive Director
Chairman McGuffage
Vice Chairman Smart
Subject: Campaign Finance Reform Task Force
Date: October 5, 2011

The Illinois Campaign Finance Reform Task Force is scheduled to meet on Thursday, October 13, 2011 at 1:00 pm in the offices of the State Board of Elections.

A formal vote is to be taken at this time on proposed legislation to be presented during the Fall Veto Session.

Materials discussed and presented at this meeting will be sent to you on Friday, October 14th.

Thank you.

State Board of Elections
1020 South Spring Street
Springfield, IL 62704

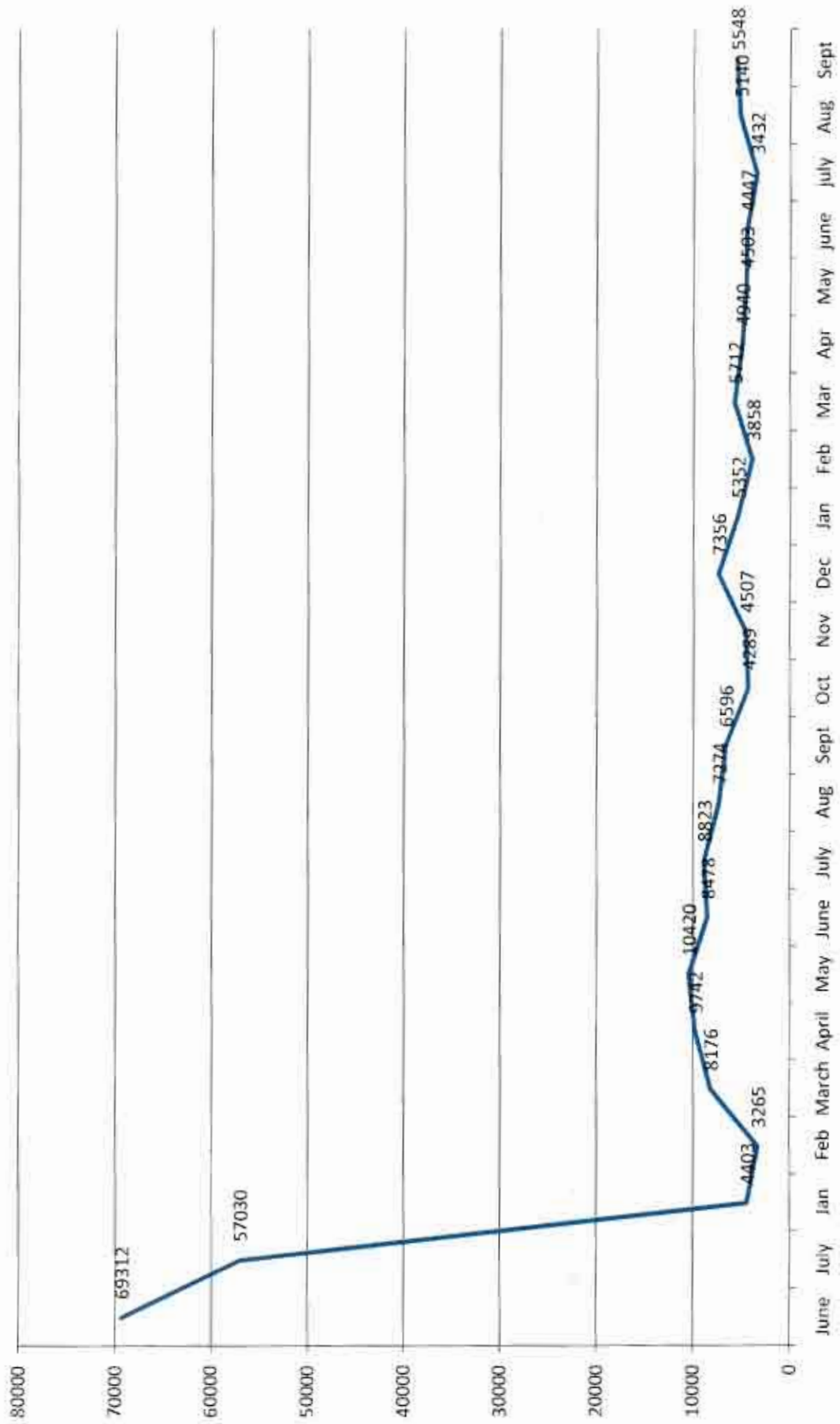
Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oldest Match Date
Adams County	0	0	5	4	7	7	8	5	8	7	8	6	4	16	20	2/6/2009
Alexander County	41	41	40	41	5	3	3	4	7	5	5	6	5	5	5	2/6/2009
Bond County	3	3	5	1	5	6	1	1	2	8	9	8	12	1	4	8/3/2009
Boone County	12	11	14	5	6	5	9	4	5	3	8	6	5	10	11	2/6/2009
Brown County	0	1	1	0	0	0	0	0	0	0	0	1	2	4	3	2/12/2010
Bureau County	11	5	3	4	0	2	6	0	0	5	0	0	4	2	3	2/6/2009
Calhoun County	0	0	0	1	0	1	1	1	0	0	0	0	0	0	0	n/a
Carroll County	2	3	2	0	3	1	0	0	5	1	1	1	0	1	2	2/6/2009
Cass County	16	16	19	0	0	5	8	0	3	1	1	0	0	2	0	n/a
Champaign County	39	24	42	13	43	129	12	10	88	110	16	17	10	195	132	2/6/2009
Christian County	0	0	3	13	7	13	3	3	3	2	2	3	2	1	1	2/6/2009
Clark County	6	6	6	6	7	8	5	5	6	6	5	5	4	4	5	2/6/2009
Clay County	69	79	58	60	60	62	52	52	58	65	62	67	57	46	45	2/6/2009
Clinton County	50	50	30	28	16	20	15	16	17	16	21	11	3	6	14	2/6/2009
Coles County	38	34	29	31	18	16	14	14	14	5	4	4	2	6	6	2/6/2009
Cook County	3,231	2,477	2,277	1,271	1,446	2,357	1,770	1,393	1,988	1,773	1,679	1,717	1,270	1,943	2,085	2/6/2009
Crawford County	48	49	43	47	17	22	19	18	11	11	11	13	7	21	21	2/6/2009
Cumberland County	4	4	5	8	4	1	0	0	1	0	0	1	0	0	0	n/a
DeKalb County	66	43	35	31	22	29	20	19	23	4	4	4	4	12	14	2/6/2009
DeWitt County	66	61	2	4	2	4	3	2	2	2	2	6	3	2	5	2/6/2009
Douglas County	1	1	1	0	1	2	404	0	1	1	0	0	0	0	1	9/12/2011
DuPage County	328	135	69	41	183	368	0	34	51	25	47	29	27	60	27	2/6/2009
Edgar County	12	12	1	1	0	0	0	0	0	0	0	0	1	0	0	n/a
Edwards County	3	4	2	5	2	2	2	2	2	4	4	4	5	4	3	2/6/2009
Effingham County	6	6	6	2	0	1	1	1	0	0	0	1	0	2	1	3/18/2011
Fayette County	18	15	15	13	12	11	11	10	11	11	9	14	12	17	12	2/6/2009
Ford County	2	4	8	3	4	22	1	1	1	2	1	1	2	0	0	n/a
Franklin County	69	68	73	82	65	70	60	59	62	60	58	60	61	60	59	2/6/2009
Fulton County	11	11	15	7	5	9	7	4	7	7	4	4	5	6	6	2/6/2009
Gallatin County	0	0	0	1	2	2	1	1	1	1	1	1	1	1	1	7/29/2011
Greene County	7	2	1	1	4	4	3	4	1	1	4	3	7	1	3	3/18/2011
Grundy County	19	15	19	9	30	42	25	27	52	0	2	3	9	10	4	2/6/2009
Hamilton County	0	1	1	0	0	0	0	0	0	0	0	0	2	0	1	9/12/2011
Hancock County	1	1	2	1	3	3	1	1	1	2	2	1	0	2	2	2/6/2009
Hardin County	6	4	0	0	1	1	0	0	0	1	2	1	0	0	0	n/a
Henderson County	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	n/a

Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oldest Match Date
Henry County	27	25	22	17	17	20	17	17	19	17	13	5	6	5	7	12/17/2010
Iroquois County	14	20	24	28	7	15	5	5	1	2	1	2	1	5	8	2/6/2009
Jackson County	26	24	24	28	16	28	15	14	20	22	17	20	15	14	14	2/6/2009
Jasper County	5	6	7	10	5	3	4	0	0	0	1	2	2	4	4	5/26/2009
Jefferson County	6	6	1	0	0	0	0	0	1	0	0	1	0	0	0	n/a
Jersey County	6	6	6	8	11	9	13	12	15	15	17	17	17	19	20	2/6/2009
JoDaviess County	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2	9/12/2011
Johnson County	13	11	8	7	1	2	1	1	1	0	0	1	0	0	0	n/a
Kane County	117	50	37	51	44	92	32	19	35	17	21	16	5	27	35	2/6/2009
Kankakee County	41	44	45	55	67	93	9	5	21	8	12	18	7	90	79	5/26/2009
Kendall County	50	23	18	9	15	12	6	4	5	0	4	2	5	6	13	9/3/2009
Knox County	13	15	16	18	1	5	7	7	0	1	1	5	9	9	11	9/10/2010
Lake County	157	118	152	47	44	214	193	18	51	23	54	32	16	36	46	2/6/2009
LaSalle County	106	82	17	10	10	21	14	6	22	11	16	9	4	14	15	2/6/2009
Lawrence County	2	2	2	2	1	2	1	0	1	0	1	1	1	0	0	n/a
Lee County	4	3	2	1	4	3	0	0	1	0	0	0	0	0	1	9/26/2011
Livingston County	4	8	9	6	8	12	1	1	3	5	4	1	1	3	2	5/13/2011
Logan County	13	13	4	2	6	5	4	5	12	5	5	4	4	4	3	2/6/2009
Macon County	4	5	8	21	7	25	8	4	8	3	3	1	2	45	19	2/6/2009
Macoupin County	4	6	5	11	4	12	5	6	8	3	1	0	1	5	7	2/6/2009
Madison County	30	26	46	27	29	35	18	17	34	16	27	20	13	18	30	2/6/2009
Marion County	53	64	35	39	26	27	18	18	29	24	29	22	20	33	23	2/6/2009
Marshall County	2	2	1	1	1	0	3	2	0	1	2	6	0	2	3	6/17/2011
Mason County	1	0	0	0	1	1	0	3	1	0	0	0	0	0	0	n/a
Massac County	6	6	6	9	4	4	3	3	5	3	3	3	3	3	4	2/6/2009
McDonough County	3	3	6	6	9	9	6	2	5	2	2	2	3	5	4	2/6/2009
McHenry County	31	15	50	92	35	125	50	4	7	34	69	74	4	10	22	2/6/2009
McLean County	39	30	3	3	6	44	7	4	20	21	9	13	5	32	18	2/6/2009
Menard County	38	5	5	8	2	3	3	2	2	1	1	1	1	1	1	2/6/2009
Mercer County	139	141	142	142	146	148	150	148	149	131	113	12	12	10	12	2/6/2009
Monroe County	1	5	5	6	8	6	2	2	2	2	6	7	0	2	0	n/a
Montgomery County	0	4	2	2	4	13	4	3	9	10	13	7	10	1	0	n/a
Morgan County	19	16	16	12	3	11	4	3	6	3	2	0	9	12	6	2/12/2010
Moultrie County	0	0	1	0	3	0	0	0	0	0	0	1	0	0	0	n/a
Ogle County	1	3	0	1	2	7	10	0	1	0	1	1	3	3	5	2/6/2009
Peoria County	7	4	4	0	4	19	1	2	2	2	4	0	3	5	4	2/6/2009

Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oldest Match Date
Perry County	0	3	6	5	1	4	0	0	1	0	0	0	0	0	1	9/20/2011
Platt County	6	2	2	6	1	4	2	2	1	2	2	2	1	0	1	9/12/2011
Pike County	7	7	7	9	9	12	10	10	9	11	12	13	3	0	5	9/12/2011
Pope County	5	1	1	1	1	2	0	0	1	2	1	1	2	1	1	3/18/2011
Pulaski County	20	20	16	20	4	4	0	0	2	2	1	1	2	2	4	2/6/2009
Putnam County	2	2	1	2	0	2	0	0	2	0	0	0	0	0	0	n/a
Randolph County	2	4	3	3	2	3	0	0	3	0	1	3	0	0	2	9/26/2011
Richland County	20	22	15	20	11	13	7	6	5	6	5	6	6	7	7	2/6/2009
Rock Island County	135	138	151	154	163	178	180	188	124	182	177	75	70	63	66	2/6/2009
Saline County	1	0	1	1	1	2	4	4	2	1	7	8	8	2	5	5/31/2011
Sangamon County	60	29	37	42	21	63	15	20	42	16	15	21	14	16	17	2/6/2009
Schuyler County	2	1	4	2	4	9	9	0	4	1	2	0	0	0	1	9/26/2011
Scott County	3	2	6	1	0	5	2	2	3	3	2	3	8	3	2	12/22/2010
Shelby County	1	1	1	3	1	2	0	0	0	1	1	1	0	3	1	2/6/2009
Stark County	0	0	0	1	0	0	0	0	0	0	1	2	2	2	0	n/a
St. Clair County	47	41	46	43	50	77	26	28	43	29	46	38	16	16	13	2/6/2009
Stephenson County	0	1	3	2	1	2	2	2	12	2	3	2	4	7	11	2/6/2009
Tazewell County	17	14	37	19	17	81	19	24	16	29	39	29	21	27	21	2/6/2009
Union County	32	35	30	33	24	33	17	17	28	29	24	22	20	25	23	2/6/2009
Vermilion County	6	6	6	3	3	3	3	3	4	3	4	3	2	3	7	8/27/2009
Wabash County	0	1	1	0	0	2	1	0	0	0	1	1	3	6	7	2/6/2009
Warren County	8	9	9	3	5	7	2	0	2	1	1	2	1	5	3	3/18/2011
Washington County	11	13	14	16	7	7	5	4	4	4	6	6	6	6	12	2/6/2009
Wayne County	34	41	30	35	34	31	28	28	31	33	34	37	34	16	15	2/6/2009
White County	1	2	0	0	1	3	2	2	1	3	3	3	4	5	4	11/8/2010
Whiteside County	6	9	9	8	7	11	7	6	9	5	6	2	2	2	3	6/18/2010
Will County	380	265	357	340	420	578	437	412	596	586	193	138	50	233	245	2/6/2009
Williamson County	93	95	94	102	57	65	43	42	45	43	45	46	45	48	49	2/6/2009
Winnebago County	28	19	14	46	35	39	25	8	10	7	10	5	4	6	5	2/6/2009
Woodford County	1	1	1	0	0	4	0	0	0	0	0	0	0	2	2	8/3/2009
City of Aurora	27	14	19	7	17	6	12	14	3	14	2	3	4	20	23	2/6/2009
City of Bloomington	9	9	9	14	11	15	5	6	6	4	5	8	4	4	7	2/6/2009
City of Chicago	2,620	2,449	2,056	899	1,037	1,755	1,382	985	1,714	1,346	1,383	1,626	1,349	1,703	2,020	2/6/2009
City of Danville	2	2	3	2	3	7	3	2	6	3	8	3	6	4	5	2/6/2009
City of East St. Louis	45	18	9	5	3	12	5	5	10	8	6	11	4	3	2	2/6/2009
City of Galesburg	5	8	8	7	2	6	10	4	3	3	3	3	5	6	7	9/3/2010

Jurisdiction	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oldest Match Date
City of Peoria	6	2	13	2	4	39	2	2	23	35	20	9	14	19	22	2/6/2009
City of Rockford	14	11	16	20	18	17	8	4	19	5	10	10	10	12	15	2/6/2009
	8,823	7,274	6,596	4,289	4,507	7,356	5,352	3,858	5,712	4,940	4,503	4,447	3,432	5,140	5,548	

Statewide Duplicate Voter Registrations January 2010 - September 2011



<i>County</i>	Total Voters Registered as of 10/04/2011	Census Total Pop.	% Reg. Vs. Total Population	18 years and over #	Prior % Reg. vs 18 and over	% Reg. vs. 18 and Over as of 9/8/2011	% Reg. vs. 18 and Over as of 10/04/2011
ALEXANDER	7,879	8,238	95.64%	6,353	122.87%	123.82%	124.02%
CLARK	12,758	16,335	78.10%	12,617	102.35%	101.14%	101.12%
CLINTON	26,227	37,762	69.45%	29,180	110.22%	89.79%	89.88%
HARDIN	3,096	4,320	71.67%	3,444	111.30%	89.66%	89.90%
JASPER	7,366	9,698	75.95%	7,494	101.23%	98.53%	98.29%
MASSAC	12,477	15,429	80.87%	11,911	103.69%	104.76%	104.75%
MENARD	8,593	12,705	67.63%	9,704	100.41%	88.33%	88.55%
MERCER	13,280	16,434	80.81%	12,714	112.44%	105.07%	104.45%
OGLE	33,898	53,497	63.36%	40,253	101.79%	84.98%	84.21%
PULASKI	5,536	6,161	89.86%	4,756	125.34%	116.36%	116.40%
RICHLAND	13,360	16,233	82.30%	12,625	109.51%	105.59%	105.82%
ROCK ISLAND	86,259	147,546	58.46%	114,359	110.07%	75.43%	75.43%
STARK	4,015	5,994	66.98%	4,583	103.69%	88.09%	87.61%
UNION	15,067	17,808	84.61%	13,980	108.41%	107.75%	107.78%
City of East St. Louis	19,032	27,006	70.47%	19,098	112.21%	105.39%	99.65%

STATE BOARD OF ELECTIONS



From the desk of.... Kyle Thomas
Director of Voter Registration Services
Phone: 217-782-1590
Email: kthomas@elections.il.gov

To: Rupert T. Borgsmiller, Executive Director

Re: Joint Committee Meeting-Statewide EMS

Date: October 4, 2011

September 27th marked the first meeting of the Joint Committee for a State provided Election Management System (EMS). A committee was formed, at the direction of the Board in the June meeting, to discuss a jurisdiction initiative of the development and deployment of an EMS, in conjunction with the Illinois State Board of Elections. This EMS would be available to any jurisdiction in the State, as another option to current offerings.

The meeting commenced at 3:30 pm at the Hilton Garden Inn of Effingham, shortly after the Election Conference.

The jurisdictions across the State were well represented with committee members from:

- Zone 1-Larry Reinhardt, Jackson County
- Steven Fox, Marion County
- Zone 2-Bill Blessman, Mason County
- Zone 3-Gordy Hulten, Champaign County
- Zone 4-Katherine Shultz, McHenry County
- Brian Woessner, Carroll County (as Zone 4 president; sitting in on behalf of Phyllis Bewley of Mercer County)
- Jan Kralovec, Cook County
- BEC- Lance Gough and Kelly Bateman, Chicago Board
- Doreen Nelson, DuPage County Board
- Lin Fechner, Aurora Board

There were also a few other jurisdiction representatives present which are not on the committee:

- JoAnn Carretto, LaSalle County
- Debbie Gillette and Renetta Michelson, Kendall County

This first meeting proved to be very productive as the committee raised several valid points for discussion. The main concerns were fiscal in nature and how the State would fund the project now and in the future. The majority of attendees agreed that due to the fiscal situation we are all facing, now is the time to be looking for more cost effective solutions, such as this project, to meet our statutory requirements.

The committee was very complimentary of the functionality of the IVRS and how the relationship between the IL BOE and the jurisdictions has improved in recent years. It is the improved relationship and the fact that IVRS has met or exceeded their expectations, which has made this partnership for an EMS development a possibility.

The committee talked about the likelihood of an RFP being necessary under the State's procurement rules. Cook County offered the RFP that they posted last year, as a foundation for the committee to use to develop our RFP upon. The committee asked that I send them a copy of the Cook Co. RFP in the coming days and to have Board staff make additions to the language prior to the next meeting. The committee also asked Board staff to investigate other states that have taken similar paths in replacing their "bottom-up" statewide databases with more central "top-down" systems.

All-in-all, the meeting went as well as I could have expected with great participation by those in attendance. I will be working to provide answers to the questions raised and working to develop the RFP, as the consensus of the group was that we need to further investigate the potential for savings over our current system arrangement.

The next meeting is scheduled for October 27th, in Sandwich, IL, following the Zone 4 Meeting.

INTEROFFICE MEMORANDUM

To: Mark Mossman
From: Brent Davis
Subject: September Monthly eCanvass Report
Date: 10/6/2011

September updates for the eCanvass:

- Dominion Voting Systems – We have received a data sample for the final format and content we have requested for the WinEds system. We are currently working with the data to ensure that it meets our programming and formatting needs. When this review is completed the SBE will contract with DVS to make these exports available on the jurisdiction systems (Cook County and City of Chicago). Dominion is also preparing an export that will be used with the GEMS system in the jurisdictions that license the software from Dominion.
- Hart Intercivic, Inc. – The eCanvass technical team is working with the Hart Voting System data, and preparing the data infrastructure so that it can accept this data. HVS is used in Peoria County, City of Peoria, and Kane County.
- Catalyst and SBE IT staff continue to meet weekly to work out the technical details of integration into IVRS, and the mechanisms for election data to be transferred into a permanent SBE repository.
- Catalyst has developed the core system that will accept election data through IVRS. They will continue further development to meet the requirements of the project.
- The eCanvass team will continue to work with ES&S to ensure that their tabulation products will work with the data and reporting requirements of the eCanvass system.

**STATE BOARD OF ELECTIONS
INTER-OFFICE MEMORANDUM**

From the desk of:

Michael Roate, Director of Administrative Services/CFO

TO: Members of the Board
SUBJECT: New Springfield Office – Facility Update
DATE: October 5, 2011

Below is the present status of the Springfield office facility project:

- CMS and SBE's selection recommendation (2329 S. MacArthur Blvd.) remains posted to the Illinois Procurement Bulletin. This posting will continue on the Bulletin until the actual lease contract is finalized and posted for outside comment/protest.
- A draft of the proposed facility lease document was received from CMS in late September. SBE-Administrative Services Division staff, General Counsel and the Executive Director reviewed the lease document, and specific comments/questions about lease language were forwarded back to Jim Withers for relay to CMS and the prospective lessor. None of the questions were considered significant enough to jeopardize completion of the lease arrangement.
- At present (10/5/11), representatives of the prospective lessor (Town & Country Group) were reviewing the base document and making changes to the CMS lease 'boilerplate' language to meet the specifics of this particular lease. According to discussion with Rick Green (CMS leasing agent) on 10/5, he is expecting a working document back from the lessor by 10/7.
- Once the revised lease document is received from the Town & Country Group, SBE will meet with CMS to discuss lessor changes and finalize the lease agreement. Once that occurs (expected by late October), the document will be reduced to contract form, signed by the parties and published on the Procurement Bulletin for 30 days for outside comment/protest. At that point, space planning, construction and remodeling activities will begin at the site itself. The project continues to be on schedule at present, with expected move-in date January 28, 2012.
- Other items – After discussion this week with Illinois Correctional Industries (ICI) – Office Systems Division personnel, ICI has tentatively offered their services to tear down and reinstall SBE's Springfield Office cubicle units at a significantly reduced rate than those offered by outside office systems companies. In addition, a secure document shredding company has been contracted to start disposal of qualifying sensitive agency documents at the Springfield office. It is anticipated that these up-front shredding and disposal activities will materially reduce the total amount of office documentation to be moved to the new office facility in January.

Please let me know if you have any questions or comments.

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

AGENCY TOTALS MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$4,280,100.00	\$910,807.61	\$0.00	\$3,369,292.39	21.28%
STATE PAID RETIREMENT	\$171,300.00	\$36,332.16	\$0.00	\$134,967.84	21.21%
RETIREMENT (inc. supplemental)	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
SOCIAL SECURITY	\$327,600.00	\$67,357.32	\$0.00	\$260,242.68	20.56%
CONTRACTUAL SERVICE	\$1,265,700.00	\$149,688.39	\$104,893.76	\$1,011,117.85	11.83%
TRAVEL	\$128,200.00	\$6,043.17	\$0.00	\$122,156.83	4.71%
PRINTING	\$51,400.00	\$4,548.67	\$0.00	\$46,851.33	8.85%
COMMODITIES	\$39,500.00	\$2,411.76	\$0.00	\$37,088.24	6.11%
EQUIPMENT	\$157,800.00	\$16,363.88	\$0.00	\$141,436.12	10.37%
TELECOMMUNICATIONS	\$143,800.00	\$8,524.34	\$0.00	\$135,275.66	5.93%
OPERATION OF AUTO EQUIPMENT	\$4,900.00	\$222.04	\$0.00	\$4,677.96	4.53%
HAVA MAINTENANCE OF EFFORT	\$550,000.00	\$125,902.30	\$306,924.77	\$117,172.93	22.89%
ELECTION CODE BOOKS	\$15,000.00	\$0.00	\$0.00	\$15,000.00	0.00%
IVRS LUMP SUM - OPERATIONS	\$328,500.00	\$62,054.72	\$0.00	\$266,445.28	18.89%
INTEREST PAYMENTS	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
SUB-TOTAL (OPERATIONS)	\$7,463,800.00	\$1,390,256.36	\$411,818.53	\$5,661,725.11	18.63%
CO CLERK & RECORDER STIPENDS	\$806,000.00	\$0.00	\$0.00	\$806,000.00	0.00%
ELECTION JUDGE REIMBURSEMENT	\$1,347,100.00	\$0.00	\$0.00	\$1,347,100.00	0.00%
ELECTION JUDGES/EARLY VOTING	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
IVRS LUMP SUM - GRANTS	\$1,251,900.00	\$0.00	\$0.00	\$1,251,900.00	0.00%
REDISTRICTING	\$90,000.00	\$45,000.00	\$0.00	\$45,000.00	50.00%
ADDITIONAL STATE MATCH	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
VOTING SYSTEMS INTEGRITY CENTER	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
ELEC. CANVASSING IMPLEMENTATION	\$300,000.00	\$1,381.51	\$0.00	\$298,618.49	0.46%
IDIS SYSTEM REPLACEMENT	\$85,000.00	\$0.00	\$0.00	\$85,000.00	0.00%
SUB-TOTAL (GRANTS)	\$3,880,000.00	\$46,381.51	\$0.00	\$3,833,618.49	1.20%
TOTAL APPROPRIATION	\$11,343,800.00	\$1,436,637.87	\$411,818.53	\$9,495,343.60	12.66%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

BOARD MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
CONTRACTUAL SERVICE				
1205 Freight Express & Drayage	\$2,500.00	\$332.28	\$2,167.72	13.29%
1221 Repair/Maint. Furn./Office Equipment				
1232 Rental Motor Vehicles	\$1,000.00	\$1,000.00	\$0.00	100.00%
1239 Rental, NEC				
1243 Book Binding Services				
1266 Court Reporting & Filing Services	\$17,000.00	\$2,194.50	\$14,805.50	12.91%
1274 Reg. Fees & Conf. Expenses (Vendor)	\$1,000.00	\$0.00	\$1,000.00	0.00%
1275 Subscriptions				
1276 Reg. Fees & Conf. Expenses (Employee)	\$100.00	\$0.00	\$100.00	0.00%
1277 Association Dues	\$100.00	\$0.00	\$100.00	0.00%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$500.00	\$0.00	\$500.00	0.00%
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC	\$500.00	\$120.83	\$379.17	24.17%
TRAVEL	\$19,000.00	\$2,906.88	\$16,093.12	15.30%
EQUIPMENT				
1510 Office Furniture & Equipment	\$700.00	\$0.00	\$700.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%

BOARD GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE
CONTRACTUAL SERVICE	\$22,700.00	\$3,647.61		\$19,052.39
TRAVEL	\$19,000.00	\$2,906.88		\$16,093.12
EQUIPMENT	\$700.00	\$0.00		\$700.00
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00
TOTAL	\$42,400.00	\$6,554.49	\$0.00	\$35,845.51

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

ADMINISTRATION	FY12	YEAR TO DATE	% OF	
MONTH ENDING: Sept. 30, 2011	APPROPRIATION	EXPENDITURE	BALANCE	EXPENDITURE
PERSONAL SERVICE	\$749,900.00	\$178,698.29	\$571,201.71	23.83%
1129 State Paid Retirement	\$30,000.00	\$7,157.11	\$22,842.89	23.86%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$57,400.00	\$13,206.87	\$44,193.13	23.01%
CONTRACTUAL SERVICE				
1201 Petty Cash	\$500.00	\$0.00	\$500.00	0.00%
1205 Freight Express & Drayage	\$700.00	\$0.00	\$700.00	0.00%
1221 Repair/Maint. Furn./Office Equipment	\$13,000.00	\$1,354.84	\$11,645.16	10.42%
1223 Repair/Maint. Real Property	\$4,000.00	\$0.00	\$4,000.00	0.00%
1230 In-House Repair & Maintenance				
1231 Rental, Office Equipment	\$35,600.00	\$255.22	\$35,344.78	0.71%
1232 Rental, Motor Vehicles	\$4,600.00	\$1,000.00	\$3,600.00	21.74%
1233 Rental, Real Property	\$325,000.00	\$70,924.68	\$254,075.32	21.82%
1234 Rental, Machinery & Mechanical Eqmt				
1235 Rental, NEC	\$1,000.00	\$0.00	\$1,000.00	0.00%
1240 Statistical & Tabulation Services	\$12,800.00	\$1,333.61	\$11,466.39	10.42%
1245 Professional & Artistic				
1248 Building & Grounds Maintenance	\$9,500.00	\$632.21	\$8,867.79	6.65%
1251 Gas	\$10,400.00	\$0.00	\$10,400.00	0.00%
1252 Electricity	\$80,900.00	\$11,024.05	\$69,875.95	13.63%
1253 Water	\$1,400.00	\$202.14	\$1,197.86	14.44%
1255 Utilities, NEC	\$900.00	\$125.34	\$774.66	13.93%
1261 Postage	\$75,000.00	\$355.60	\$74,644.40	0.47%
1266 Court Reporting				
1274 Reg. Fees & Conf. Expenses (Vendor)	\$800.00	\$0.00	\$800.00	0.00%
1275 Subscription & Information Services	\$1,900.00	\$1,056.25	\$843.75	55.59%
1276 Reg. Fees & Conf. Expenses (Employee)	\$800.00	\$0.00	\$800.00	0.00%
1277 Association Dues	\$2,000.00	\$0.00	\$2,000.00	0.00%
1279 Tuition - Employee				
1281 Interviewee Expense - To Vendors				
1285 Taxes, Licenses & Fees	\$100.00	\$0.00	\$100.00	0.00%
1289 Contractual Services, NEC	\$1,000.00	\$0.00	\$1,000.00	0.00%
TRAVEL				
1291 In-State	\$18,000.00	\$503.96	\$17,496.04	2.80%
1292 Out-of-State	\$1,000.00	\$0.00	\$1,000.00	0.00%
PRINTING	\$9,800.00	\$796.68	\$9,003.32	8.13%
COMMODITIES				
1304 Office/Library Supplies	\$13,500.00	\$703.23	\$12,796.77	5.21%
1391 Household & Cleaning Supplies	\$2,900.00	\$432.39	\$2,467.61	14.91%
1394 Office/Library Equip. Not exc. \$100				
1398 Equipment, NEC	\$500.00	\$0.00	\$500.00	0.00%
1399 Commodities, NEC	\$600.00	\$30.89	\$569.11	5.15%
EQUIPMENT				
1510 Office Furniture & Equipment	\$2,000.00	\$744.63	\$1,255.37	37.23%
1599 Equipment NEC	\$1,000.00	\$0.00	\$1,000.00	0.00%
TELECOMMUNICATIONS				
1710 Repair/Maintenance Telecom				
1721 Rental, Telephone Serv. & Equip.	\$51,000.00	\$3,879.75	\$47,120.25	7.61%
1722 Rental, Data Comm. Serv. & Equip.	\$81,200.00	\$4,080.24	\$77,119.76	5.02%
1728 Videoconferencing	\$6,400.00	\$564.35	\$5,835.65	8.82%
1729 Rental, Other Comm. Serv. & Equip.	\$3,700.00	\$0.00	\$3,700.00	0.00%
1730 Parts & Supplies for Telephone	\$1,500.00	\$0.00	\$1,500.00	0.00%
1750 Telephone, Data, Radio & Other Equipment				
OPERATION OF AUTO EQUIPMENT				
1893 Repair & Maint., Auto. Equipment	\$1,800.00	\$0.00	\$1,800.00	0.00%
1894 Parts & Fittings, Auto Equipment	\$200.00	\$0.00	\$200.00	0.00%
1896 Gasoline, Oil & Antifreeze	\$2,900.00	\$222.04	\$2,677.96	7.66%
1899 Auto. Expenses, NEC				
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%
	FY12	YEAR TO DATE	OBLIGATED	% OF
ADMINISTRATION GRAND TOTAL	APPROPRIATION	EXPENDITURE	MONEY	BALANCE EXPENDITURE
PERSONAL SERVICE	\$749,900.00	\$178,698.29		\$571,201.71 23.83%
STATE PAID RETIREMENT	\$30,000.00	\$7,157.11		\$22,842.89 23.86%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00 0.00%
SOCIAL SECURITY	\$57,400.00	\$13,206.87		\$44,193.13 23.01%
CONTRACTUAL SERVICE	\$582,100.00	\$88,263.94	\$53,193.51	\$440,642.55 15.16%
TRAVEL	\$19,000.00	\$503.96		\$18,496.04 2.65%
PRINTING	\$9,800.00	\$796.68		\$9,003.32 8.13%
COMMODITIES	\$17,500.00	\$1,166.51		\$16,333.49 6.67%
EQUIPMENT	\$3,000.00	\$744.63		\$2,255.37 24.82%
TELECOMMUNICATIONS	\$143,800.00	\$8,524.34		\$135,275.66 5.93%
OPERATION OF AUTO EQUIPMENT	\$4,900.00	\$222.04		\$4,677.96 4.53%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00 0.00%
TOTAL	\$1,617,400.00	\$299,284.37	\$53,193.51	\$1,264,922.12 18.50%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

ELECTIONS MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$1,724,600.00	\$376,037.81	\$1,348,562.19	21.80%
1129 State Paid Retirement	\$69,000.00	\$15,056.35	\$53,943.65	21.82%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$132,000.00	\$27,826.76	\$104,173.24	21.08%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1202 Contractual reimbursement To Employee				
1205 Freight Express & Drayage	\$4,300.00	\$0.00	\$4,300.00	0.00%
1221 Repair/Maint. Furn./Office Equipment	\$200.00	\$0.00	\$200.00	0.00%
1231 Rental, Office Equipment				
1232 Rental, Motor Vehicles				
1237 Rental, Film & Audio/Visual Aids	\$100.00	\$0.00	\$100.00	0.00%
1239 Rental, NEC	\$4,200.00	\$100.00	\$4,100.00	2.38%
1242 Auditing & Management Services				
1245 Professional & Artistic Services, NEC				
1266 Court Reporting & Filing Services				
1273 Advertising				
1274 Reg. Fees & Conf. Expenses (Vendor)	\$4,000.00	\$0.00	\$4,000.00	0.00%
1275 Subscription & Information Services	\$1,900.00	\$0.00	\$1,900.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)	\$1,300.00	\$0.00	\$1,300.00	0.00%
1277 Association Dues	\$2,300.00	\$115.00	\$2,185.00	5.00%
1279 Employee Tuition & Fees	\$2,900.00	\$0.00	\$2,900.00	0.00%
1280 Copying, Photographic & Printing Services	\$1,000.00	\$0.00	\$1,000.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1289 Contractual Services, NEC	\$24,200.00	\$0.00	\$24,200.00	0.00%
TRAVEL	\$58,500.00	\$1,842.69	\$56,657.31	3.15%
PRINTING	\$18,900.00	\$0.00	\$18,900.00	0.00%
EQUIPMENT				
1510 Office Furniture & Equipment	\$5,000.00	\$0.00	\$5,000.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%
HAVA - Maintenance of Effort	\$550,000.00	\$125,902.30	\$424,097.70	22.89%
ELECTION CODE BOOKS	\$15,000.00	\$0.00	\$15,000.00	0.00%
Redistricting	\$90,000.00	\$45,000.00	\$45,000.00	50.00%
Election Judge Reimbursements	\$1,347,100.00	\$0.00	\$1,347,100.00	0.00%
Stipends	\$806,000.00	\$0.00	\$806,000.00	0.00%
Early Voting Election Judges	\$0.00	\$0.00	\$0.00	0.00%
State HAVA Match	\$0.00	\$0.00	\$0.00	0.00%
Voting System Integrity Center	\$0.00	\$0.00	\$0.00	0.00%
Electronic Canvassing Implementation	\$300,000.00	\$1,381.51	\$298,618.49	0.46%
IDIS Replacement System	\$85,000.00	\$0.00	\$85,000.00	0.00%

<u>ELECTIONS GRAND TOTAL</u>	<u>FY12</u> <u>APPROPRIATION</u>	<u>YEAR TO DATE</u> <u>EXPENDITURE</u>	<u>OBLIGATED</u> <u>MONEY</u>	<u>BALANCE</u>	<u>% OF</u> <u>EXPENDITURE</u>
PERSONAL SERVICE	\$1,724,600.00	\$376,037.81		\$1,348,562.19	21.80%
STATE PAID RETIREMENT	\$69,000.00	\$15,056.35		\$53,943.65	21.82%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$132,000.00	\$27,826.76		\$104,173.24	21.08%
CONTRACTUAL SERVICE	\$46,400.00	\$215.00		\$46,185.00	0.46%
TRAVEL	\$58,500.00	\$1,842.69		\$56,657.31	3.15%
PRINTING	\$18,900.00	\$0.00		\$18,900.00	0.00%
EQUIPMENT	\$5,000.00	\$0.00		\$5,000.00	0.00%
HAVA - Maintenance of Effort	\$550,000.00	\$125,902.30	\$306,924.77	\$117,172.93	22.89%
ELECTION CODE BOOKS	\$15,000.00	\$0.00		\$15,000.00	0.00%
Redistricting	\$90,000.00	\$45,000.00		\$45,000.00	50.00%
Election Judge Reimbursements	\$1,347,100.00	\$0.00		\$1,347,100.00	0.00%
Stipends	\$806,000.00	\$0.00		\$806,000.00	0.00%
Early Voting Election Judges	\$0.00	\$0.00		\$0.00	0.00%
State HAVA Match	\$0.00	\$0.00		\$0.00	0.00%
Voting System Integrity Center	\$0.00	\$0.00		\$0.00	0.00%
Electronic Canvassing Implementation	\$300,000.00	\$1,381.51		\$298,618.49	0.46%
IDIS Replacement System	\$85,000.00	\$0.00		\$85,000.00	0.00%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$5,247,500.00	\$593,262.42	\$306,924.77	\$4,347,312.81	11.31%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

GENERAL COUNSEL MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$289,700.00	\$35,388.00	\$254,312.00	12.22%
1129 State Paid Retirement	\$11,600.00	\$1,416.24	\$10,183.76	12.21%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$22,200.00	\$2,626.28	\$19,573.72	11.83%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1202 Reimbursement to Employee	\$0.00	\$0.00	\$0.00	0.00%
1205 Freight Express & Drayage	\$500.00	\$0.00	\$500.00	0.00%
1221 Repair/Maint. Furn./Office Equipment				
1244 Legal Fees	\$60,000.00	\$3,539.75	\$56,460.25	5.90%
1245 Professional & Artistic Services, NEC				
1266 Court Reporting & Filing Services	\$15,000.00	\$351.00	\$14,649.00	2.34%
1273 Advertising				
1274 Reg Fees & Conf. Expenses (Vendor)	\$1,000.00	\$0.00	\$1,000.00	0.00%
1275 Subscription & Information Services	\$3,000.00	\$0.00	\$3,000.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)	\$2,000.00	\$0.00	\$2,000.00	0.00%
1277 Association Dues	\$1,500.00	\$297.00	\$1,203.00	19.80%
1279 Employee Tuition & Fees				
1280 Copying, Photographic & Printing Services	\$700.00	\$0.00	\$700.00	0.00%
1284 Computer Software				
1289 Contractual Services, NEC	\$7,500.00	\$454.25	\$7,045.75	6.06%
TRAVEL	\$9,500.00	\$621.16	\$8,878.84	6.54%
EQUIPMENT				
1510 Office Furniture & Equipment	\$500.00	\$0.00	\$500.00	0.00%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%

GENERAL COUNSEL GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$289,700.00	\$35,388.00		\$254,312.00	12.22%
STATE PAID RETIREMENT	\$11,600.00	\$1,416.24		\$10,183.76	12.21%
RETIREMENT	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$22,200.00	\$2,626.28		\$19,573.72	11.83%
CONTRACTUAL SERVICE	\$91,200.00	\$4,642.00	46,460.25	\$40,097.75	5.09%
TRAVEL	\$9,500.00	\$621.16		\$8,878.84	6.54%
EQUIPMENT	\$500.00	\$0.00		\$500.00	0.00%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$424,700.00	\$44,693.68	\$46,460.25	\$333,546.07	10.52%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

CAMPAIGN DISCLOSURE MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$797,300.00	\$164,977.01	\$632,322.99	20.69%
1129 State Paid Retirement	\$31,900.00	\$6,602.56	\$25,297.44	20.70%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-0008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$61,000.00	\$12,089.33	\$48,910.67	19.82%
CONTRACTUAL SERVICE				
1202 Employee Reimbursement	\$0.00	\$0.00	\$0.00	0.00%
1205 Freight Express & Drayage	\$100.00	\$0.00	\$100.00	0.00%
1221 Repair & Maint. Furn & Office Equipment	\$300.00	\$225.00	\$75.00	0.00%
1225 Repair & Maint. EDP				
1229 Repair & Maint. NEC				
1232 Rental, Motor Vehicles				
1239 Rental, NEC	\$3,200.00	\$0.00	\$3,200.00	0.00%
1245 Professional & Artistic Services, NEC	\$6,000.00	\$0.00	\$6,000.00	0.00%
1248 Building & Ground Maintenance				
1266 Court Reporting & Filing Services				
1274 Reg Fees & Conf. Expenses (Vendor)	\$900.00	\$0.00	\$900.00	0.00%
1275 Subscription & Information Services				
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$600.00	\$0.00	\$600.00	0.00%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC				
TRAVEL				
1291 In-State	\$8,000.00	\$0.00	\$8,000.00	0.00%
1292 Out-of-State	\$3,300.00	\$0.00	\$3,300.00	0.00%
PRINTING	\$22,000.00	\$3,751.99	\$18,248.01	17.05%
EQUIPMENT				
1510 Office Furniture & Equipment	\$9,300.00	\$1,679.25	\$7,620.75	18.06%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	0	\$0.00	0.00%

CAMPAIGN DISCLOSURE GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$797,300.00	\$164,977.01		\$632,322.99	20.69%
STATE PAID RETIREMENT	\$31,900.00	\$6,602.56		\$25,297.44	20.70%
RETIREMENT (incl. supplemental funding)	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$61,000.00	\$12,089.33		\$48,910.67	19.82%
CONTRACTUAL SERVICE	\$11,100.00	\$225.00		\$10,875.00	2.03%
TRAVEL	\$11,300.00	\$0.00		\$11,300.00	0.00%
PRINTING	\$22,000.00	\$3,751.99		\$18,248.01	17.05%
EQUIPMENT	\$9,300.00	\$1,679.25		\$7,620.75	18.06%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$943,900.00	\$189,325.14	\$0.00	\$754,574.86	20.06%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

INFORMATION TECHNOLOGY MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$718,600.00	\$155,706.50	\$562,893.50	21.67%
1129 State Paid Retirement	\$28,800.00	\$6,099.90	\$22,700.10	21.18%
1161 Retirement	\$0.00	\$0.00	\$0.00	0.00%
1161-0008 Compt. Supplemental Retirement	\$0.00	\$0.00	\$0.00	0.00%
1170 Social Security	\$55,000.00	\$11,608.08	\$43,391.92	21.11%
CONTRACTUAL SERVICE				
1145 Contractual Payroll				
1205 Freight Express & Drayage	\$0.00	\$0.00	\$0.00	0.00%
1221 Repair/Maint. Furn /Office Equipment	\$13,000.00	\$0.00	\$13,000.00	0.00%
1223 Repair/Maint. Real Property	\$1,000.00	\$978.83	\$21.17	0.00%
1225 Repair/Maint. EDP Equipment	\$61,300.00	\$0.00	\$61,300.00	0.00%
1230 In-House Repair of Equipment				
1234 Rental, Machinery and Mech. Equip				
1239 Rental, NEC				
1242 Auditing & Management Services	\$0.00	\$0.00	\$0.00	0.00%
1244 Legal Fees				
1245 Professional & Artistic Services, NEC	\$284,500.00	\$0.00	\$284,500.00	0.00%
1271 Surety Bond & Ins. Prem	\$700.00	\$499.00	\$201.00	71.29%
1272 Travel & Expense Reimbursement (Vendor)				
1274 Reg Fees & Conf. Expenses (Vendor)	\$6,000.00	\$0.00	\$6,000.00	0.00%
1275 Subscription & Information Services	\$2,800.00	\$0.00	\$2,800.00	0.00%
1276 Reg. Fees & Conf. Expenses (Employee)				
1277 Association Dues				
1279 Employee Tuition and Fees	\$5,000.00	\$0.00	\$5,000.00	0.00%
1284 Computer Software	\$118,100.00	\$51,217.01	\$66,882.99	43.37%
1285 Operating Taxes, Licenses & Fees				
1286 Travel, Non-State Employee				
1289 Contractual Services, NEC	\$19,800.00	\$0.00	\$19,800.00	0.00%
TRAVEL				
1291 In-State	\$5,500.00	\$168.48	\$5,331.52	3.06%
1292 Out-of-State	\$5,400.00	\$0.00	\$5,400.00	0.00%
PRINTING	\$700.00	\$0.00	\$700.00	0.00%
COMMODITIES				
1304 Office/Library Supplies	\$21,000.00	\$429.87	\$20,570.13	2.05%
1332 Industrial & Shop Materials				
1394 Office/Library Equip. under \$100	\$400.00	\$397.98	\$2.02	0.00%
1398 Equipment, NEC	\$400.00	\$303.59	\$96.41	0.00%
1399 Commodities, NEC	\$200.00	\$113.81	\$86.19	56.91%
EQUIPMENT				
1510 Office Furniture & Equipment	\$0.00	\$0.00	\$0.00	0.00%
1515 EDP Equipment	\$139,300.00	\$13,940.00	\$125,360.00	10.01%
LUMP SUMS & OTHER PURPOSES				
1991 Interest Payments	\$0.00	\$0.00	\$0.00	0.00%

INFORMATION TECHNOLOGY GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY	BALANCE	% OF EXPENDITURE
PERSONAL SERVICE	\$718,600.00	\$155,706.50		\$562,893.50	21.67%
STATE PAID RETIREMENT	\$28,800.00	\$6,099.90		\$22,700.10	21.18%
RETIREMENT	\$0.00	\$0.00		\$0.00	0.00%
SOCIAL SECURITY	\$55,000.00	\$11,608.08		\$43,391.92	21.11%
CONTRACTUAL SERVICE	\$512,200.00	\$52,694.84	\$5,240.00	\$454,265.16	10.29%
TRAVEL	\$10,900.00	\$168.48		\$10,731.52	1.55%
PRINTING	\$700.00	\$0.00		\$700.00	0.00%
COMMODITIES	\$22,000.00	\$1,245.25		\$20,754.75	5.66%
EQUIPMENT	\$139,300.00	\$13,940.00		\$125,360.00	10.01%
INTEREST PAYMENTS	\$0.00	\$0.00		\$0.00	0.00%
TOTAL	\$1,487,500.00	\$241,463.05	\$5,240.00	\$1,240,796.95	16.23%

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
General Revenue Fund

IVRS LUMP SUM
MONTH ENDING: Sept. 30, 2011

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE	\$55,786.50
1129 State Paid Retirement	\$2,233.57
1161 Retirement	
1170 Social Security	\$4,034.65

CONTRACTUAL SERVICE

1205 Freight Express & Drayage	
1221 Repair/Maint. Furn./Office Equipment	
1232 Rental Motor Vehicles	
1239 Rental NEC	
1242 Auditing & Management Services	
1243 Book Binding Services	
1266 Court Reporting & Filing Services	
1274 Reg. Fees & Conf. Expenses (Vendor)	
1275 Subscriptions	
1276 Reg. Fees & Conf. Expenses (Employee)	
1277 Association Dues	
1279 Employee Tuition & Fees	
1280 Copying, Photographic & Printing Services	
1284 Computer Software	
1286 Travel, Non-State Employee	
1289 Contractual Services, NEC	

TRAVEL

COMMODITIES

1304 Office Supplies	
1398 Equipment Less than \$100	

EQUIPMENT

1510 Office Furniture & Equipment	
-----------------------------------	--

LUMP SUMS & OTHER PURPOSES

1991 Interest Payments	
------------------------	--

LOCAL GRANTS

4453 Reimbursement to Governmental Units	
4458 Services, NEC	
4470 Grants to Local Governments	
4479 Payments to Other State Agencies	

LUMP SUM - OPERATIONS APPROP FOR YEAR	\$328,500.00
TOTAL LUMP SUM - OPERATIONS EXPENDITURES	\$62,054.72
REMAINING LUMP SUM APPROPRIATION	\$266,445.28

LUMP SUM - GRANTS APPROP FOR YEAR	\$1,251,900.00
TOTAL LUMP SUM - GRANT EXPENDITURES	\$0.00
REMAINING LUMP SUM APPROPRIATION	\$1,251,900.00

LUMP SUM TOTAL APPROPRIATION	\$1,580,400.00
TOTAL LUMP SUM EXPENDITURES	\$62,054.72
REMAINING LUMP SUM APPROPRIATION	\$1,518,345.28

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
 Help Illinois Vote Fund

AGENCY TOTALS	SECTION 101 <u>Discretionary</u> <u>Funds</u>	SECTION 102 <u>Entitlement</u> <u>Payments</u>	SECTION 261 <u>EAID</u> Disbursements	SECTION 251 <u>Requirements</u>	SECTION 251 <u>Additional</u> <u>Requirements</u>	TOTAL <u>Fund Activity</u>
MONTH ENDING: Sept. 30, 2011						
CASH BALANCE AT BEGINNING OF YR	\$2,409,908.25	\$0.00	-\$80,713.82	\$5,700,043.64	\$11,787,751.01	\$19,816,989.08
Program Revenues from Federal Govt			\$80,713.82			\$80,713.82
Miscellaneous Revenues						\$0.00
Interest Earned on IOC Balances	\$2,654.63			\$6,311.87	\$13,179.50	\$22,146.00
Interest Penalties Received						\$0.00
State Match Receipts						\$0.00
TOTAL CASH REVENUES	\$2,654.63	\$0.00	\$80,713.82	\$6,311.87	\$13,179.50	\$102,859.82
YEAR TO DATE CASH EXPENDITURES						
PERSONAL SERVICE	\$18,429.00	\$0.00	\$0.00	\$0.00	\$0.00	\$18,429.00
STATE-PAID RETIREMENT	\$737.40	\$0.00	\$0.00	\$0.00	\$0.00	\$737.40
RETIREMENT	\$6,302.82	\$0.00	\$0.00	\$0.00	\$0.00	\$6,302.82
SOCIAL SECURITY	\$1,346.58	\$0.00	\$0.00	\$0.00	\$0.00	\$1,346.58
GROUP INSURANCE	\$5,662.86	\$0.00	\$0.00	\$0.00	\$0.00	\$5,662.86
CONTRACTUAL SERVICE	\$8,854.51	\$0.00	\$0.00	\$36,929.58	\$0.00	\$45,784.09
TRAVEL	\$8,490.23	\$0.00	\$0.00	\$0.00	\$0.00	\$8,490.23
PRINTING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
COMMODITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TELECOMMUNICATIONS	\$33.67	\$0.00	\$0.00	\$0.00	\$0.00	\$33.67
OPERATION OF AUTO. EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
INDIRECT COST REFUNDS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
SUB-TOTAL CASH EXPENDITURES (OPERATIONS)	\$49,857.07	\$0.00	\$0.00	\$36,929.58	\$0.00	\$86,786.65
AWARDS & GRANTS	\$0.00	\$0.00	\$0.00	\$175,932.32	\$281,056.03	\$456,988.35
TOTAL CASH EXPENDITURES	\$49,857.07	\$0.00	\$0.00	\$212,861.90	\$281,056.03	\$543,775.00
CASH BALANCE AT END OF MONTH	\$2,362,705.81	\$0.00	\$0.00	\$5,493,493.61	\$11,519,874.48	\$19,376,073.90

**STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund**

SECTION 101 - DISCRETIONARY FUNDS MONTH ENDING: Sept. 30, 2011	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	
PERSONAL SERVICE	\$18,429.00	\$18,429.00	
1129 State Paid Retirement	\$737.40	\$737.40	
1161 Retirement	\$6,302.82	\$6,302.82	
1170 Social Security	\$1,346.58	\$1,346.58	
1180 Group Insurance	\$5,662.86	\$5,662.86	
CONTRACTUAL SERVICE			
1205 Freight Express/Drayage	\$73.51	\$73.51	
1223 Repair & Maintenance Real Property			
1225 Repair & Maintenance, EDP Equip.	\$7,388.00	\$7,388.00	
1231 Rental, Office Equipment			
1232 Rental, Motor Vehicles			
1237 Rental, Film & Audio/Visual Aids			
1239 Rental, NEC			
1242 Auditing & Management Services			
1243 Book Binding & Processing Services			
1244 Legal Fees			
1245 Professional & Technical Services, NEC			
1261 Postage			
1266 Court Reporting & Filing Services			
1273 Advertising			
1274 Registration Fees & Conf. Exp. (Vendor)			
1276 Registration Fees & Conf. Exp. (Employee)	\$1,393.00	\$1,393.00	
1280 Copying, Photographic & Printing Serv.			
1284 Computer Software			
1286 Travel, Reimb. to Non-State Employees			
1289 Contractual Services, NEC			
TRAVEL			
1291 In-State	\$8,686.68	\$8,686.68	
1292 Out-of-State	\$1,803.55	\$1,803.55	
PRINTING			
COMMODITIES			
1304 Office/Library Supplies			
1308 Educational & Instructional Materials			
1394 Office/Library Equip., Not Exceed. \$100			
1396 Equipment, NEC			
1399 Commodities, NEC			
EQUIPMENT			
1510 Office Furniture & Equipment			
1515 EDP Equipment			
1561 Training Equipment			
6625 Leasehold Improvements			
TELECOMMUNICATIONS			
1721 Rental, Telephone Serv. & Equip.	\$33.67	\$33.67	
1722 Rental, Data Comm. Serv. & Equip.			
1728 Video Conferencing			
1729 Rental, Other Comm. Serv. & Equip.			
1730 Parts & Supplies for Telephone			
1740 Answering & Pag. Comm. Serv. Equip.			
1750 Telephone, Data, Radio & Other Equip.			
1799 Telecommunication Services, NEC			
OPERATION OF AUTO EQUIPMENT			
1893 Repair & Maint., Automotive Equipment			
1894 Parts & Fittings, Automotive Equipment			
1896 Gasoline, Oil & Antifreeze			
1898 Automotive Services, NEC			
1899 Automotive Expenses, NEC			
INDIRECT COST REFUNDS			
1993 Indirect Cost Allocation Refund			
GRANTS			
4453 Reimbursement to Governmental Units			
4456 Services, NEC			
4470 Grants to Local Governments (PPA)			
4470 Grants to Local Governments (LAI)			
4470 Grants to Local Governments (AAG)			
4470 Grants to Local Governments			
4479 Payments to Other State Agencies			
SECTION 101 GRAND TOTAL	FY12 APPROPRIATION	YEAR TO DATE EXPENDITURE	OBLIGATED MONEY
PERSONAL SERVICE	\$18,429.00	\$18,429.00	
STATE PAID RETIREMENT	\$737.40	\$737.40	
RETIREMENT	\$6,302.82	\$6,302.82	
SOCIAL SECURITY	\$1,346.58	\$1,346.58	
GROUP INSURANCE	\$5,662.86	\$5,662.86	
CONTRACTUAL SERVICE	\$8,854.51	\$8,854.51	
TRAVEL	\$8,490.23	\$8,490.23	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$33.67	\$33.67	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
INDIRECT COST REFUNDS	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
TOTAL	\$49,857.07	\$49,857.07	\$0.00

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund

SECTION 102 - ENTITLEMENT PAYMENTS
MONTH ENDING: Sept. 30, 2011

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
 1161 Retirement
 1170 Social Security

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
 1225 Repair & Maintenance, EDP Equip.
 1231 Rental, Office Equipment
 1237 Rental, Film & Audio/Visual Aids
 1239 Rental, NEC
 1242 Auditing & Management Services
 1243 Book Binding & Processing Services
 1244 Legal Fees
 1245 Professional & Technical Services, NEC
 1261 Postage
 1266 Court Reporting & Filing Services
 1274 Registration Fees & Conf. Exp. (Vendor)
 1276 Registration Fees & Conf. Exp. (Employee)
 1280 Copying, Photographic & Printing Serv.
 1284 Computer Software
 1289 Contractual Services, NEC

TRAVEL

1291 In-State
 1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
 1394 Office/Library Equip., Not Exceed. \$100
 1398 Equipment, NEC
 1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
 1515 EDP Equipment
 1599 Equipment, NEC

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
 1722 Rental, Data Comm. Serv. & Equip.
 1728 Video Conferencing
 1729 Rental, Other Comm. Serv. & Equip.
 1730 Parts & Supplies for Telephone
 1740 Answering & Pag. Comm. Serv. Equip.
 1750 Telephone, Data, Radio & Other Equip.
 1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
 1894 Parts & Filings, Automotive Equipment
 1896 Gasoline, Oil & Antifreeze
 1898 Automotive Services, NEC
 1899 Automotive Expenses, NEC

GRANTS

4453 Reimbursement to Governmental Units
 4458 Services, NEC
 4470 Grants to Local Governments, NEC

SECTION 102 GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00	\$0.00	
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
TOTAL	\$0.00	\$0.00	\$0.00

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund

SECTION 261 - EAID DISBURSEMENTS
 MONTH ENDING: Sept. 30, 2011

FY12
 APPROPRIATION

YEAR TO DATE
 EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
 1161 Retirement
 1170 Social Security

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
 1225 Repair & Maintenance, EDP Equip.
 1231 Rental, Office Equipment
 1237 Rental, Film & Audio/Visual Aids
 1239 Rental, NEC
 1242 Auditing & Management Services
 1243 Book Binding & Processing Services
 1244 Legal Fees
 1245 Professional & Technical Services, NEC
 1261 Postage
 1266 Court Reporting & Filing Services
 1274 Registration Fees & Conf. Exp. (Vendor)
 1276 Registration Fees & Conf. Exp. (Employee)
 1280 Copying, Photographic & Printing Serv.
 1284 Computer Software
 1289 Contractual Services, NEC

TRAVEL

1291 In-State
 1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
 1394 Office/Library Equip., Not exc. \$100
 1398 Equipment, NEC
 1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
 1515 EDP Equipment
 1599 Equipment, NEC

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
 1722 Rental, Data Comm. Serv. & Equip.
 1728 Video Conferencing
 1729 Rental, Other Comm. Serv. & Equip.
 1730 Parts & Supplies for Telephone
 1740 Answering & Pag. Comm. Serv. Equip.
 1750 Telephone, Data, Radio & Other Equip.
 1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
 1894 Parts & Fittings, Automotive Equipment
 1896 Gasoline, Oil & Antifreeze
 1898 Automotive Services, NEC
 1899 Automotive Expenses, NEC

GRANTS

4453 Reimbursement to Governmental Units
 4470 Grants to Local Governments (VAID II)
 4470 Grants to Local Governments (VAID III)

<u>SECTION 261 GRAND TOTAL</u>	<u>FY12 APPROPRIATION</u>	<u>YEAR TO DATE EXPENDITURE</u>	<u>OBLIGATED MONEY</u>
PERSONAL SERVICE	\$0.00	\$0.00	
STATE PAID RETIREMENT	\$0.00	\$0.00	
RETIREMENT	\$0.00	\$0.00	
SOCIAL SECURITY	\$0.00	\$0.00	
CONTRACTUAL SERVICE	\$0.00	\$0.00	
TRAVEL	\$0.00	\$0.00	
PRINTING	\$0.00	\$0.00	
COMMODITIES	\$0.00	\$0.00	
EQUIPMENT	\$0.00	\$0.00	
TELECOMMUNICATIONS	\$0.00	\$0.00	
OPERATION OF AUTO EQUIPMENT	\$0.00	\$0.00	
GRANTS	\$0.00	\$0.00	
TOTAL	\$0.00	\$0.00	\$0.00

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
 Help Illinois Vote Fund

SECTION 251 - REQUIREMENTS
MONTH ENDING: Sept. 30, 2011

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1120 State Paid Retirement
 1161 Retirement
 1170 Social Security
 1180 Group Insurance

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
 1223 Repair & Maintenance Real Property
 1225 Repair & Maintenance, EDP Equip.
 1231 Rental, Office Equipment
 1232 Rental, Motor Vehicles
 1237 Rental, Film & Audio/Visual Aids
 1239 Rental, NEC
 1242 Auditing & Management Services
 1243 Book Binding & Processing Services
 1244 Legal Fees
 1245 Professional & Technical Services, NEC
 1261 Postage
 1266 Court Reporting & Filing Services
 1273 Advertising
 1274 Registration Fees & Conf. Exp. (Vendor)
 1276 Registration Fees & Conf. Exp. (Employee)
 1280 Copying, Photographic & Printing Serv.
 1284 Computer Software
 1289 Contractual Services, NEC

\$9,880.00

\$9,880.00

\$27,049.58

\$27,049.58

TRAVEL

1291 In-State
 1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
 1308 Educational & Instructional Materials
 1394 Office/Library Equip., Not Exceed \$100
 1398 Equipment, NEC
 1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
 1515 EDP Equipment
 1561 Training Equipment
 6625 Leasehold Improvements

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
 1722 Rental, Data Comm. Serv. & Equip.
 1728 Video Conferencing
 1729 Rental, Other Comm. Serv. & Equip.
 1730 Parts & Supplies for Telephone
 1740 Answering & Pag. Comm. Serv. Equip.
 1750 Telephone, Data, Radio & Other Equip.
 1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
 1894 Parts & Fittings, Automotive Equipment
 1896 Gasoline, Oil & Antifreeze
 1898 Automotive Services, NEC
 1899 Automotive Expenses, NEC

INDIRECT COST REFUNDS

1993 Indirect Cost Allocation Refund

GRANTS

4453 Reimbursement to Govt Units (AVE)
 4453 Reimbursement to Govt Units (Phase II)
 4453 Reimbursement to Govt Units (ALA)
 4453 Reimbursement to Govt Units (EDG)
 4470 Grants to Local Governments (VRS)
 4479 Payments to Other State Agencies

\$175,932.32

\$175,932.32

SECTION 251 (OLD REQ) GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE
 STATE PAID RETIREMENT
 RETIREMENT
 SOCIAL SECURITY
 GROUP INSURANCE
 CONTRACTUAL SERVICE
 TRAVEL
 PRINTING
 COMMODITIES
 EQUIPMENT
 TELECOMMUNICATIONS
 OPERATION OF AUTO EQUIPMENT
 INDIRECT COST REFUNDS
 GRANTS

\$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$36,929.58
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$175,932.32

\$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$36,929.58
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$0.00
 \$175,932.32

\$266,975.70

TOTAL

\$212,861.90

\$212,861.90

\$266,975.70

STATE BOARD OF ELECTIONS
FY12 MONTHLY FISCAL REPORT
Help Illinois Vote Fund

SECTION 251 - ADDITIONAL REQUIREMENTS
MONTH ENDING: Sept. 30, 2011

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

PERSONAL SERVICE

1129 State Paid Retirement
1161 Retirement
1170 Social Security
1180 Group Insurance

CONTRACTUAL SERVICE

1205 Freight Express/Drayage
1223 Repair & Maintenance Real Property
1225 Repair & Maintenance, EDP Equip.
1231 Rental, Office Equipment
1232 Rental, Motor Vehicles
1237 Rental, Film & Audio/Visual Aids
1239 Rental, NEC
1242 Auditing & Management Services
1243 Book Binding & Processing Services
1244 Legal Fees
1245 Professional & Technical Services, NEC
1261 Postage
1266 Court Reporting & Filing Services
1273 Advertising
1274 Registration Fees & Conf. Exp. (Vendor)
1275 Registration Fees & Conf. Exp. (Employee)
1280 Copying, Photographic & Printing Serv
1284 Computer Software
1289 Contractual Services, NEC

TRAVEL

1291 In-State
1292 Out-of-State

PRINTING

COMMODITIES

1304 Office/Library Supplies
1308 Educational & Instructional Materials
1394 Office/Library Equip. Not Exceed \$100
1388 Equipment, NEC
1399 Commodities, NEC

EQUIPMENT

1510 Office Furniture & Equipment
1515 EDP Equipment
1561 Training Equipment
6525 Leasehold Improvements

TELECOMMUNICATIONS

1721 Rental, Telephone Serv. & Equip.
1722 Rental, Data Comm. Serv. & Equip.
1728 Video Conferencing
1729 Rental, Other Comm. Serv. & Equip.
1730 Parts & Supplies for Telephone
1740 Answering & Pag. Comm. Serv. Equip.
1750 Telephone, Data, Radio & Other Equip.
1799 Telecommunication Services, NEC

OPERATION OF AUTO EQUIPMENT

1893 Repair & Maint., Automotive Equipment
1894 Parts & Filings, Automotive Equipment
1896 Gasoline, Oil & Antifreeze
1898 Automotive Services, NEC
1899 Automotive Expenses, NEC

INDIRECT COST REFUNDS

1993 Indirect Cost Allocation Refund

GRANTS

4453 Reimbursement to Govt Units (AVE)
4453 Reimbursement to Govt Units (Phase II)
4453 Reimbursement to Govt Units (ALA)
4453 Reimbursement to Govt Units (EDG)
4470 Grants to Local Governments (VRG)
4479 Payments to Other State Agencies

\$281,056.03

\$281,056.03

SECTION 251 (NEW REQ) GRAND TOTAL

FY12
APPROPRIATION

YEAR TO DATE
EXPENDITURE

OBLIGATED
MONEY

PERSONAL SERVICE
STATE PAID RETIREMENT
RETIREMENT
SOCIAL SECURITY
GROUP INSURANCE
CONTRACTUAL SERVICE
TRAVEL
PRINTING
COMMODITIES
EQUIPMENT
TELECOMMUNICATIONS
OPERATION OF AUTO EQUIPMENT
INDIRECT COST REFUNDS
GRANTS

\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$281,056.03

\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$0.00
\$281,056.03

TOTAL

\$281,056.03

\$281,056.03

\$0.00

Start Date	End Date	Activity	Division
10/3 /2011		Begin planning for the printing and distribution of campaign financing material for political committees for February 7, 2012 General Primary Election	CAMP DISC
10/3 /2011		Begin planning for the printing and distribution of Campaign Financing materials to political committees for the December 31, 2011 Semi-Annual Report. (Packets to be mailed December 2, 2011) 10 ILCS 5/9-10	CAMP DISC
10/18/2011		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
10/28/2011		Send to all election authorities a LIST OF FACILITIES licensed or certified pursuant to the NURSING HOME CARE REFORM ACT OF 1979. 10 ILCS 5/19-12.2	ET&RD
10/31/2011		Begin preparation of packet material for Semi-Annual Reports. (Packets to be mailed December 2, 2011.) 10 ILCS 5/9-10	CAMP DISC
10/31/2011	11/02 /2011	Candidate filing period. 10 ILCS 5/7-12	EL INFO
11/01 /2011	11/03 /2011	(date subject to change) Veto Session	LEG
11/04 /2011		Submit COUNTY OFFICERS book for printing. Books should be printed by December 2, 2011. 10 ILCS 5/1A-8 (1, 2, 3, 11)	ET&RD
11/04 /2011		Submit FEDERAL AND STATE OFFICERS book for printing. Books should be printed by December 2, 2011. 10 ILCS 5/1A-8 (1, 2, 3, 11)	ET&RD
11/09 /2011		Civic Organization certification cutoff date prior to the February 7, 2012 General Primary Election. 10 ILCS 5/1A-8 (1, 2, 12) (Board Rule)	ET&RD
11/15/2011		Deadline for filing objections to petitions of candidates who filed October 26 - November 2, 2009. 10 ILCS 5/10-8	EL INFO
11/15/2011	11/17/2011	(date subject to change) Veto Session	LEG
11/16/2011		Last day to conduct lottery to determine ballot position for 8 a.m. simultaneous filings for November 16 - 23, 2009 filing period. 10 ILCS 5/7-7-12 (6)	EL INFO
11/17/2011		Last day to transmit objections and call for electoral board hearings. 10 ILCS 5/10-8	EL INFO
11/21/2011	11/28/2011	Special filing period for judicial vacancies which occurred October 17 - November 7, 2011.	EL INFO

Start Date	End Date	Activity	Division
11/21/2011		BOARD MEETING. 10 ILCS 5/1A7	EXEC DIR
12/01 /2011		Notify election authorities of requirement to submit computerized voter registration information for the December 15, 2011 submission in a format prescribed by the SBE	VRS
12/02 /2011		The last date that the State Board of Elections shall notify political committees that have filed a Statement of Organization of their obligation to file a SEMI-ANNUAL REPORT OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES. 10 ILCS 5/9-16	CAMP DISC
12/05 /2011		Objection filing deadline to nomination papers of candidates who filed for judicial office during the November 21 - 28, 2011 filing period. (Special judicial filing) 10 ILCS 5/7-12.1	EL INFO
12/07 /2011		Last day to conduct lottery to determine ballot position for 8 a.m. simultaneous filings for November 16 - 23, 2009 filing period.	EL INFO
12/07 /2011		Last day to transmit objections and call for electoral board hearings.	EL INFO
12/08 /2011		Mail February General Primary certifications to county clerks. 10 ILCS 5/1A-8 (1, 2, 11)	EL INFO
12/12/2011		Prepare and have available for distribution the listing of candidates for the February 7, 2012 General Primary Election. 10 ILCS 5/1	EL INFO, ET&RD
12/15/2011		Present to the Board a list of legislative proposals for introduction in the next session.	LEG
12/15/2011		First day for election authority to submit computerized voter registration file for the December 15, 2011 submission. 10 ILCS 5/4-8.5-7.6-36	VRS
12/20 /2011		BOARD MEETING. Certification of the March Primary Election ballot. 10 ILCS	EXEC DIR
12/25/2011		Last day for election authorities to submit request for extension to file computerized voter registration information for the December 15, 2011 submission. Rules and Regulations	VRS
12/25/2011		Last day for election authority to submit computerized voter registration file for the December 15, 2011 submission. 10 ILCS 5/4-8.5-7.6-36	VRS

5. Comments from the general public.
6. Next Board meeting, Monday, November 21, 2011 at State Employees' Retirement System in Springfield.
7. Executive Session.